

EXTENSIONS OF REMARKS

THE HUNGARIAN REVOLUTION:
LEST WE FORGET

HON. ROBERT K. DORNAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1979

• Mr. DORNAN. Mr. Speaker, the Hungarian Revolution was not the first time the brave Hungarian people rose up against a brutal Communist dictatorship. In 1918, Soviet-backed Communists of the Bela Kun regime were overthrown.

How tragic for those courageous people that the revolution did not toll the bell for communism in Hungary. But the Communists never gave up. In the closing days of World War II, on October 6, 1944, the Soviet Army marched into Hungary; and, once again, the "Iron Curtain" was brutally imposed upon the Hungarian people.

Under the guise of a constitution proclaiming a so-called People's Republic of Hungary, the people of that nation were forced to pay \$200 million in reparations to their Soviet masters. In the words of Walter Dushnyck, the Soviets imposed

• • • an iron rule characterized by various forms of oppression and discrimination; by arrests and trials and of severe sentences meted out to all real and imagined opponents of the Communist regime; persecution of the Church and intellectuals. . . .

Because of a natural human desire for freedom, and 12 years to the month after those Soviet Armies invaded Hungary, the Hungarian people erupted in a fury of revolution born of years of pent-up frustration against a vicious Communist tyranny for which they had never voted or given consent to rule.

Tragically, their revolution failed, and the Soviets, in retribution, sent 63,000 Hungarians to Siberia (the equivalent of 1,260,000 Americans). As recently as 1965, 463 who had participated in the rebellion were still imprisoned in the Central Prison, Budapest.

I would like to introduce into the Record a speech delivered by Istvan B. Gereben, Copresident of the Hungarian Freedom Fighters' Federation, on the occasion of the 23d anniversary of the revolution. I was honored to be present at his speech, which served as a grim reminder that not all enjoy our freedoms and that we cannot ever forget the memory of that tragic event. But the brave resistance of the Hungarian people is a grim tribute to mankind's never-ending quest for liberty.

SPEECH DELIVERED BY ISTVAN B. GEREBEN,
CO-PRESIDENT OF THE HUNGARIAN FREEDOM
FIGHTERS' FEDERATION

Reverend Members of the Clergy, Congressman Dornan, Representatives of the Captive Nations, Distinguished Guests, Ladies and Gentlemen:

One could put a whole dictionary from those cliches and commonplace expressions

whereby the international press tries to convey to its readers the impression, that, contrary to its neighboring countries, in Hungary it is not impossible for progressive democratic transformation to take place.

The facts contradict the assertions of the Western promoters of the Hungarian regime put in power in 1956 by Soviet tanks.

Hungary is not free.

It is misleadingly optimistic and specifically wrong to assert that Hungary has made gains in the area of human rights. The regime refused to engage in open trials wherein known intellectuals would be accused. But this does not mean that it would fall to persecute unknown workers, students and others of the lower ranks with the same unchanged rigidity, should they practice their freedom of speech.

There are about 200 cases of political offenses tried yearly in Hungary.

Freedom of movement is strongly controlled. Hungarian regulations concerning passports are less liberal than their Polish counterparts. The laws eliminating the right of assembly have not changed at all since 1948.

Freedom of religion continues to be curbed. The use of sophisticated methods for the elimination of religious belief in Hungary continues. The oppression, control and exploitation of the Churches by the ruling regime is just as evident as it was in the 1950's. The sophisticated methods of intimidation only mask, not change the true nature of the atheistic dictatorship.

The government in Hungary with all its air of liberalism demonstrates only what the other Communist authoritarian regimes demonstrate with the air of terrorism namely that there are no institutional guarantees of freedom.

A controlled individual is just as much at the mercy of a liberal dictatorship as he was at the mercy of a terroristic state.

The position of the individual vis a vis the state did not change in Hungary since 1956.

The Hungarian regime apparently reached a point where it is no longer necessary to maintain control by shooting or jailing people by the thousands. It developed a well functioning system of social control in which dissent and opposition are not punished by death but are effectively treated, "cured" by using the unlimited power of state. Rather than giving people free choice, independent political parties, freedom, it is apparently able to keep people quiet by increasing their dependence.

This highly efficient and sophisticated control seemingly works. Everyone is occupied and apparently content.

The only tangible evidence to the contrary are the few hundred who are tried and jailed each year and the physical existence of the most blatant symbol of oppression: the Iron Curtain.

We hear Party Secretary Kadar's often invoked slogan: "He who is not against us is for us."

We must be against him, because we cannot be for him. He and his regime betrayed the trust of the Hungarian people. He has the blood of his nation on his hands.

We cannot forget, we must not forgive!

The Hungarian Uprising of 1956 was a new phenomenon, perhaps no less meaningful than the French or Russian Revolution. It means the beginning of the end of Communism—wrote Milovan Djilas, the distin-

guished Communist author, scholar and the former Vice President of Tito's Yugoslavia.

By some simple, very gloriously simple miracle a nation declared its boundless and free spirit. The world was stunned. Hungary suddenly became free. A heroic intoxication took over a nation which bare handedly wrestled its newly gained liberty from the tanks of Khrushchev. The spirit of self-sacrifice, courage and determination had overcome unsurmountable odds.

We the participants of this unbelievable miracle happily and enthusiastically enjoyed freedom that had not been ours for long years.

We commemorate those joyful days today.

Then came the hordes of tyranny and pierced the heart of nation with iron spears. With every fallen hero the hopes of remaining free diminished. The betrayal of the new neutral and free Hungary by our western brothers had a fatal effect.

We commemorate the heroes and remind our brothers today.

We pay tribute to the heroes who believed that all nations have the right to self-determination.

We remind our brothers that no man is free until all men are free.

These are the themes for today when the spirit of Chamberlain gains footholds again.

In the mighty struggle for liberty and justice each of us has a part. Stand up and be counted.

If you become discouraged, as you certainly will, do what we do, remember the words of Edward Everett Hale, when he said:

"I am only one, but I am one,
I can't do everything, but I can do something.

What I can do I ought to do,
And what I ought to do,
By the grace of God, I shall do!"

Let's rededicate ourselves today on the 23rd Anniversary of the 1956 Hungarian Revolution with the words of John F. Kennedy who said in his Inaugural Address:

"We shall pay any price, bear any burden, meet any hardship, support any friend, oppose any foe to assure the survival and the success of liberty." •

PERSONAL EXPLANATION

HON. ROMANO L. MAZZOLI

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1979

• Mr. MAZZOLI. Mr. Speaker, I was unavoidably absent from the House on Friday, December 14, 1979. Had I been present, I would have voted: "aye" on rollcall No. 731, to approve the Journal of Thursday, December 13, 1979; "aye" on rollcall No. 732, to order the previous question on House Resolution 506, the rule for H.R. 5980, antirecession fiscal assistance; "aye" on rollcall No. 733, agreement to the rule; "aye" on rollcall No. 734, agreement to table a motion to reconsider; "aye" on rollcall No. 735, for the House to resolve into the Committee of the Whole; "aye" on rollcall No. 738, on a division of the question on five technical amendments to H.R. 5980, the antirecession fiscal assistance; "no" on rollcall No.

• This "bullet" symbol identifies statements or insertions which are not spoken by the Member on the floor.

739, an amendment to reduce the authorization for H.R. 5980 from \$250 million to \$150 million.●

CHRYSLER LOAN GUARANTEES

HON. THOMAS J. TAUKE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1979

● Mr. TAUKE. Mr. Speaker, I would like to include in the Record, for the perusal of my colleagues, a brief report generated by the Small Business Subcommittee on Antitrust. It provides an excellent analysis of the relationship between the Chrysler loan guarantees and small business investment.

CHRYSLER LOAN GUARANTEES BACKGROUND

On November 30 you requested that the staff of the Small Business Subcommittee on Antitrust prepare a report on "the effect of \$1.5 billion worth of Chrysler loan guarantees on small business." Further, you asked for an evaluation of "whether the investment of such funds in other parts of the economy would be productive."

The following report seeks to respond to your questions. The primary sources of information are hearings conducted by the Antitrust Subcommittee in the 95th Congress, plus recent statements from the public record.

This study was written on short notice; a substantial portion of the research was done by members of the majority staff.

LOAN GUARANTEES IN GENERAL

Loan guarantees have been used by the nation's small business community when that sector has been artificially restricted from the capital markets. Small business does not have the same access to debt and equity markets enjoyed by large corporations. In hearings before the Small Business Subcommittee on Equity Capital during the 96th Congress, Federal Trade Commission statistics were quoted as demonstrating that small businesses are more dependent upon bank loans to meet their financing needs than are large corporations. Federal guarantees serve as an insurance pool for small businesses and their banks. The government's risk is spread among a large number of borrowers.

The Small Business Administration stated in their 1978 Annual Report that they issued \$2.65 billion of regular business loan guarantees in FY 1978. These funds reached over 22,000 small businesses and had an average size of \$125,000. \$1.5 billion in new loan guarantees, the amount that is proposed for the Chrysler Corporation, would serve over 12,000 small businesses if distributed through the SBA's regular small business loan program.

THE SMALL BUSINESS SECTOR

The small business sector is by far and away the most productive element in the nation's economy. Small business is the job creator in the economy.

In the 95th Congress the Small Business Administration testified before the House Small Business Subcommittee on Antitrust's hearings on Job Creation. An SBA study, entitled "It's Better to Lend Than Spend", showed that for every \$10,000 lent to small business, one new job is created and three existing jobs are maintained. Professor David Birch, of the Massachusetts Institute of Technology and a job creation expert, testified at the Antitrust Subcommittee's hearings that 80% of all new jobs created in establishments 4 years old or younger. The National Alliance of Businessmen testified in August 1978 before the Senate Finance Com-

mittee that 70% of all new private sector jobs may be attributed to firms with fewer than 100 employees.

The SBA report, "It's Better to Lend Than Spend", notes that 98.8% of SBA's business loans went to firms with fewer than 100 employees. The SBA's regular business loans serve women and minorities; in FY 1978 it made 53,000 direct loans and guarantees to women and minorities, totalling over \$1 billion. The SBA also make loans to riskier ventures that are concerned with high technology and have the potential for rapid growth and job creation tendencies. Hearing on Small Business and Innovation held by the Antitrust Subcommittee in 1978 documented the important contributions small business makes in the vital area of technological innovation.

SBA loans to small businesses are a direct investment into the economy; the average SBA loan filters into the economic mainstream in approximately three months. One reason for this is the viable, active secondary market for SBA loan guarantees. Seventy percent of SBA's guaranteed loans are repurchases in the secondary market, making SBA guarantees more liquid than a similar federal guarantee to a large borrower.

GUARANTEE TO CHRYSLER

The largest failures of federal loan guarantees, according to the Congressional Budget Office, have occurred among the class of large borrowers. Failures occur when federal loan guarantees are used to finance projects that should be equity financed. Ventures that are judged too risky by the marketplace should not be funded with federal guarantees. Loan guarantees to Amtrak and Washington, D.C.'s METRO transit system have cost the American people hundreds of millions of dollars.

The most significant effect a federal loan guarantee to Chrysler would have on the nation's small business community is the markets. Chrysler's current high risk predicament makes the availability of private sector funds for their use scarce. The cost of new private sector loans would be very high for the company. A government guarantee not only makes those funds available, but it also artificially drives down their cost. Thus the government would be diverting the orderly flow of funds in the marketplace from the productive sectors to the Chrysler Corporation. Such interference with the flow of capital, especially in a recessionary economy, is harmful and makes the cost of capital to the more productive sectors of the economy, (including small business), higher and those funds more difficult to obtain.

It is difficult to assess how many jobs federal loans to Chrysler would save. In a recent Wall Street Journal article (12-3-79), Chrysler Chairman Lee Iacocca stated that "there are as many as 800,000 jobs at stake." However, a Chrysler document dated 10-5-79, sent to congressional offices states that in the long term 200,000 to 300,000 jobs are at stake. Treasury Secretary G. William Miller told the Senate Banking Committee on November 7, 1979, that the net loss of jobs by 1981 would be 75,000 to 100,000 (14,000 of those jobs would be among the white collar corporate staff).

Using the SBA estimate of each \$10,000 in loans to the small business sector creating one new job, an additional \$1.5 billion of federal loan guarantees to small business would create 150,000 new jobs. The indirect effects of those loans to small businesses—technological innovation and the strengthening of community and economic bases—are difficult to quantify. It is doubtful that a massive loan to a single borrower could achieve comparable beneficial effects.

RISK TO THE ECONOMY

A federal guarantee to the Chrysler Corporation could seriously limit the availa-

bility of bank funds to the small business sector. As noted earlier, banks serve as the primary lending source for small enterprises. A total of \$3 billion pulled out of the economy for Chrysler's use could further exacerbate the credit crunch now being experienced by the nation's small business community, endangering growth in the nation's most productive sector.

A BILL TO ENCOURAGE SMALL BUSINESS CAPITAL FORMATION: THE USED MACHINERY INVEST- MENT CREDIT ADJUSTMENT ACT OF 1979

HON. HENRY J. NOWAK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1979

● Mr. NOWAK. Mr. Speaker, the House Small Business Subcommittee on Access to Equity Capital and Business Opportunities which I chair, held hearings September 12 and 13, on the capital formation problems of small business. One of the major problems we found was the inability of small capital intensive firms to quickly recover their capital costs. To help lessen the capital formation burdens of small business, I am introducing H.R. 6171, the Used Machinery Investment Credit Adjustment Act of 1979. A companion bill is being introduced today by Senator GAYLORD NELSON, chairman of the Senate Select Committee on Small Business and senior members of the Senate Finance Committee.

Internal cash generation is critical to the success of any small enterprise. Small businesses tend to have a high ratio of debt equity and are dependent to a great degree on bank financing. They also require more frequent refinancing than larger firms. Capital cost recovery can be accomplished in two ways: through depreciation reform and modification of the investment tax credit. A simple, limited, and targeted depreciation reform bill would help small capital intensive businesses. Ideally, this measure should be limited in order to avoid significant revenue loss and resource misallocation.

It should be targeted to those sectors of the economy which produce jobs and promote innovation. Above all, any depreciation reform bill should be simple; it should avoid complicated transitional rules, which inevitably result in additional regulations and more paperwork.

The second way to facilitate capital recovery is to revise the investment tax credit. The investment tax credit offers capital intensive small firms an important benefit in that it immediately helps cash flow. It is direct, simple and provides more cash flow than do present methods of accelerated depreciation. The credit could be modified to help small business by making it refundable up to a dollar amount and by raising the amount of used machinery eligible for the investment tax credit.

Small capital intensive firms utilize

the investment tax credit when they expand productive capacity. However, small businesses generally rely on used machinery.¹ These firms often cannot economically justify the large investment required to purchase new machinery.

In addition, when a small businessman needs to increase productive capacity immediately due to changed market conditions, he cannot wait out delivery schedules which can be as long as 2 years for new machinery.

On the other hand, a large business can afford to hire capital acquisition specialists to time their purchases to meet changing market needs. Small firms in most cases do not require up-to-date, high output equipment if the firm serves a small but highly profitable market segment. This profitable market niche may require a unique low volume product, as opposed to a low margin, high volume product.

Thus, a small concern using older equipment can successfully compete with a larger company which is using new machinery. Once established in a small but growing market, the small competitor may eventually trade up to newer machinery and can expand into the low margin, high volume market. Thus, investment in used machinery contributes to productivity, competition, and overall growth of the economy.

Many studies have shown the important contribution small businesses make to the overall growth in the economy. Proportionately, they create more jobs, are more productive, and more innovative than their larger counterparts.² For many of these small, capital intensive firms, used machinery is a way of life, yet, present tax law discriminates between used and new machinery. Although there is no limit on the amount of new machinery which qualifies for the investment tax credit, used machinery investment can only qualify up to \$100,000.

For example, if a company purchases a used machine for \$150,000, one-third of the purchase does not qualify for the investment tax credit. In contrast, if the company bought new machinery for the same price, it could claim an investment tax credit based on the full purchase price. Inflation has made this limit unrealistic.

Since 1975, the last time this limit was raised, the cost of typical used machinery has increased by over 50 percent. In addition, the cost of machinery in general has escalated dramatically

over the past 10 years. The cost of starting a small, capital intensive company such as a 10-man tool and die shop, has become prohibitive. A survey of machinery dealers throughout the country indicates that it would cost between \$350,000 to \$450,000 to open a 10-man machine shop which would generate in the neighborhood of \$1 million in sales. If new machinery were used, the investment would be in the neighborhood of \$600,000 to \$1 million.

Coupled with concern for the special needs of small business are the overall concerns arising from declining rates of inflation. The Joint Economic Committee recently focused on the declining rate of productivity, and recommended a substantial increase in the rate of capital formation. The need is clear. Productivity in the United States declined in each of the first three quarters of this year and is now almost minus 1.5 percent for the year. This decline has been chronic: Productivity grew at a rate of only one-half of 1 percent in the United States, which has had the slowest rate of productivity growth of any of the 12 major industrialized nations.

For these important and compelling reasons, I urge my colleagues to support legislation to raise the amount of used equipment on which the 10 percent investment tax credit can be taken, from the present \$100,000 to \$200,000. The modest proposal is the first step in assuring that small capital-intensive companies receive adequate incentive for investment. The net result will be a stronger, more productive small business sector and a healthy national economy.

The bill as introduced follows:

H.R. 6171

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. TITLE.—This Act may be cited as the "Used Machinery Investment Credit Adjustment Act of 1979".

SEC. 2. AMOUNT OF USED PROPERTY ELIGIBLE FOR INVESTMENT TAX CREDIT INCREASED TO \$200,000.—

(a) IN GENERAL.—Paragraph (2) of section 48(c) of the Internal Revenue Code of 1954 (relating to dollar limitation on used section 38 property) is amended by striking out "\$100,000" each place it appears and inserting in lieu thereof "\$200,000".

(b) CONFORMING AMENDMENT.—Subparagraph (B) of section 48(c)(2) of such Code (relating to application of dollar limitation to married individuals) is amended by striking out "\$50,000" and inserting in lieu thereof "\$100,000".

SEC. 3. EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 1979. ●

PERSONAL STATEMENT

HON. BILL FRENZEL

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1979

● Mr. FRENZEL. Mr. Speaker, due to a commitment in my congressional district, I was not able to be present for the vote on the domestic violence bill, H.R. 2977. Had I been present, I would have voted "aye." ●

BILL SIDELL—GENERAL PRESIDENT, UNITED BROTHERHOOD OF CARPENTERS AND JOINERS OF AMERICA

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1979

● Mr. ANDERSON of California. Mr. Speaker, I would like to take a few moments to say something about an old friend and an outstanding man—Bill Sidell.

Bill will retire as the president of the Carpenter's Union this December 31 after more than 15 years in Washington, D.C. He is one of 33 members of the General Executive Council of the AFL-CIO.

Bill Sidell first came to Washington, D.C., in 1962 when he was elected to the general executive board of the national union, as a representative for district eight, which includes California. In August of 1964 he was appointed second-general vice president of this international union. Then in April of 1970, he moved to the position of first general vice president.

With the vacancy of the presidency in March of 1972, he assumed the position, was reelected in 1974 and again in 1978.

Bill began his career with organized labor many years ago. His first elected office was that of warden of the 4,500-member Local 721. In 1957 he was elected secretary-treasurer of the Los Angeles District Council of Carpenters. Bill has given his time willingly to numerous west coast interests. These include the California Governor's Advisory Commission on Housing Problems, the Los Angeles Mayor's Labor-Management Committee, the executive board of both the California and the Los Angeles Committee on Political Education and the Organized Voters Registration Service. The National Housing Conference honored Bill Sidell by hosting a dinner in Washington earlier this year to pay him tribute.

During his time in the Nation's Capital, Bill has initiated many programs—he began a series of regional conferences bringing together local and district officials. Promoting periodic training for business representatives was another of his ideas. Bill has helped expand relations with trade associations and employer groups, and he has also helped strengthen organizations in the field of restoration in a program with Housing and Urban Development which has been responsible for renovating buildings in the larger urban areas throughout the United States.

During the 33rd General Convention, due to his efforts, an industrial group was established to help organize workers within industrial plants.

Bill was born in Chicago and moved with his family to California at age 5. When he leaves Washington at the end of the year, he will return to California with his wife, Frankie, to Poway, near San Diego.

It has been my pleasure and privilege to know Bill Sidell for more than 25 years. In every dealing I have witnessed I have known him to be a fighter but always, always fair. I am personally

¹ The Association of Independent Corrugator Converters (makers of heavy paper containers) recently polled their members as to the extent of used equipment purchases between 1977 and 1979. Of those firms purchasing less than \$200,000 of equipment a year, more than 60 percent (average yearly percentage for the three year period) of their purchases were used equipment. In contrast, of those firms with equipment purchases of more than \$1 million, less than 35 percent (average percentage) of their purchases were used machinery.

² See hearings before the Subcommittee on Antitrust, Consumers and Employment and Senate Select Committee on Small Business, *Small Business and Innovation*, August 9-10, 1978. Also see David Birch, *The Job Generation Process*, MIT Program on Neighborhood Regional Change, Cambridge, Massachusetts, 1979.

aware of his outstanding contributions to the labor movement, a career that began locally and is ending internationally.

My wife, Lee, joins me in wishing our friend, Bill Sidell, his wife, Frankie, and their children, Barton, Gary, and Suzann great happiness in the future. Those of us who know Bill either professionally or personally shall miss him here in Washington. We would like to thank Bill for his many years of dedication and hard work on behalf of the American worker. ●

TRIBUTE TO DONNA O'BRIEN SWINK

HON. ROBERT K. DORNAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1979

● Mr. DORNAN. Mr. Speaker, on December 7 I was privileged to attend the 59th installation of officers of the Santa Monica Board of Realtors. Each year the board presents its Citizen of the Year Award for outstanding service to the community. Nominations are made by service clubs, churches, and other organizations in the community. They are then voted upon by past recipients of the award, business people and heads of civic organizations in Santa Monica.

This year's award was presented by last year's winner, Louise Gabriel. I believe her words in tribute to Donna O'Brien Swink are worthy of repeating here:

Last year, it was a real thrill and honor for me to receive the Citizen of the Year Award, from the Santa Monica Board of Realtors, an organization for which I have the highest regard. Tonight it's equally thrilling for me to have the privilege of presenting the 1979 Citizen of the Year Award to a most deserving and highly respected person in our community.

This year's recipient is of Scandinavian and Irish descent, but the Irish seems to have blossomed out more. She was born in North Dakota, came to California at the age of 6 months with her family and has lived here ever since. She has a very devoted husband, Al, who readily admits she easily does the work of five women. They have two grown children, Gall, age 23; and Brian, 18.

The Honoree has many fine attributes which can be described by her many friends in numerous ways: among them is integrity, honesty and fairness in dealing with people. She has a great sense of humor. She enjoys singing with groups and I understand she is a powerful whistler and can stop a taxi 3 blocks away if she needs one. She would much rather give than receive.

She has been with Santa Monica Bank for 33 years, having worked her way up from chief clerk to Senior Vice President of the Bank. I understand from her colleagues that she is considered one of the outstanding escrow officers on the west coast and has been for the past 15 years. She excels in leadership, and has a great capacity for administration and yet, with all of her business-like qualities, she is still sensitive to people and their needs. Besides her full time position with the Bank, she has managed to give generously of her valuable time to social, service, and civic organizations.

This year's winner served on the Santa Monica City Council from 1973 to 1979, as a

member, mayor pro-tem and Mayor from 1977 to 1979. She recently displayed her courage and determination for what she thought was right for our city, when although in great pain, she delayed her resignation from the city council to cast a much needed vote. She resigned on August 31, 1979 due to health, but remains active in the community.

Among the recipient's other credits are service with the YWCA, Soroptimist of Santa Monica—the only president to serve two terms consecutively—the Westside Volunteer Bureau as a member of the Board of Directors, the National Conference of Christians and Jews as member of the Board of Directors, the Red Cross and the Community Chest. She has served as past president and life member of the Los Angeles Escrow Association, served on the Escrow Advisory Board of the Santa Monica College, and is past treasurer of the California Escrow Association. In 1970 she received the Santa Monica Bay District Board of Realtors "Affiliate of the Year Award" and the PFC Allan H. Katz Post 118 of the Jewish War Veterans presented her with the Citizen of the Year Award in 1978.

With all these activities, she has still found time to respond to her many friends and participate in and support numerous other groups and worthy causes in the community.

On behalf of the Santa Monica Board of Realtors I am happy to announce this year's recipient of the Citizen of the Year Award is Donna O'Brien Swink. Donna we love you.

And Mr. Speaker, the citizens of Santa Monica do love Donna O'Brien Swink. We are all very, very, very proud of her. ●

IRAN

HON. EARL HUTTO

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1979

● Mr. HUTTO. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following:

IRAN

The takeover of the American embassy by Iranian students has left most Americans with a sense of outrage, and rightly so. The belligerence of the Ayatollah Khomeini, along with the aggressive behavior of Iranian students, is reprehensible and counter-action, at the proper time, should be taken. Our first concern, though, must be with the lives of the American hostages and I concur with the actions taken by the President. As the leader of this country, it is his duty to reason, coax, bargain, and eventually disarm the Iranian government much like a police officer would dissuade a suicidal person from jumping off a building. In this regard, I think President Carter deserves our patience and support.

I think it is also important that we reassert our overall world superiority once our people are free from harm. Although I do believe in a strong defense and have consistently supported efforts to keep America strong, I am not necessarily talking about military intervention. Instead I am speaking of an economic and spiritual reassertion which will show that we are still the strongest nation in the world.

It is no secret that it was our technology which built Iran, it was our universities that educated most Iranian leaders, and it was our military that supplied and trained the Iranian army. Iran's only true source of stability

is its oil which makes up only 4% of our consumption, and we certainly have the backbone to conserve 4% of energy rather than bow to a fanatical zealot.

I was therefore, particularly pleased by our decision to cut off all oil imports from Iran, tighten our visa requirements for Iranian students, and freeze Iranian assets in this country.

Despite all this, I think the most important result from this incident is the patriotism displayed by our own people. This is the first time since World War II that I have seen such affection for this land and I think it is about time. We are the greatest country in the world, despite efforts to erode our superiority from within and without, and I think we will continue to be strong as long as we believe in ourselves and our ingenuity. As a result, I am confident that we will overcome this incident and will emerge even stronger. ●

AMERICAN STUDENTS SHOW THEY SUPPORT THE U.S. HOSTAGES IN IRAN

HON. MILLICENT FENWICK

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1979

● Mrs. FENWICK. Mr. Speaker, one of the few bright spots in this grim struggle with the Iranians who captured the embassy and seized American hostages has been the way the citizens of this country have rallied to show support for their fellow countrymen.

The display of flags today, which has been declared National Unity Day, and the heavy flow of Christmas cards to our hostages has been most heartening.

Most of the publicity has focused on the so-called students who took over the U.S. Embassy compound in a well-organized operation. I am pleased to note that recently, at least some of the media is calling these people what they are: militants and terrorists.

There is another group of young people who are also speaking up in this dispute, however, and they are doing it in a legal, peaceful manner. I refer in particular to the American students who have been sending Christmas cards to the hostages, letters to Iranian officials and collecting signatures on petitions.

Yesterday, while in my district, students from the West Windsor-Plainsboro High School presented me with a petition signed by more than 1,300 young men and women. I wish the CONGRESSIONAL RECORD could actually reproduce the petition to show the care with which the large document was prepared and hand lettered, and there was space here to list all of the signers. But it is the message which is important and, therefore, I am placing the text in this public record as a proud demonstration that American students, in their own words, "support the return of the American hostages from Iran." The original petition itself is on the doorway to my office, at 1212 Longworth House Office Building in Washington, and I plan to keep it on display there until the hostages are freed.

The text of the petition follows:

PETITION FROM THE WEST WINDSOR-PLAINS-BORO, N.J., HIGH SCHOOL

We, the undersigned, support the return of the American hostages from Iran. We feel International Law must be preserved. We urge a peaceful resolution of the crisis between Iran and the United States of America.

The signatures below express our concern for World Peace and Security.

Presented by West Windsor-Plainsboro High School, December 19, 1979.

(Signed by more than 1,300 students.) ●

CONGRESSIONAL SUPPORT FOR THE INTELLIGENCE COMMUNITY URGED BY REPRESENTATIVE MCCLORY

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1979

● Mr. MICHEL. Mr. Speaker, our colleague from Illinois, Congressman Bob McClory, addressed the annual Pearl Harbor Day luncheon meeting of the Association of Former Intelligence Officers on Friday December 7 at the Fort Meyer Officers Club.

Mr. McClory's remarks presented to this prestigious group, numbering some of our most honored and courageous citizens, represents a framework for strengthening and improving our intelligence capabilities through the services of the Central Intelligence Agency and the other elements of our intelligence community upon which our country's national security depends.

Mr. Speaker, I am pleased to attach hereto, for inclusion in the CONGRESSIONAL RECORD, a copy of Congressman McClory's speech:

REMARKS OF THE HONORABLE ROBERT MCCLORY BEFORE THE ASSOCIATION OF FORMER INTELLIGENCE OFFICERS, FRIDAY, DECEMBER 7, 1979

I would like to thank you for inviting me to speak here before you. Of course, today marks the 38th anniversary of the most catastrophic intelligence failure in our nation's history—the failure to communicate information of the intended Japanese attack on Pearl Harbor. At the war's end, the call for "No more Pearl Harbors" eventually led to a reorganization of intelligence operations and the creation of the Central Intelligence Agency—designed as the center for national intelligence production.

While today, some may question the political decisions which have influenced our strategic position in the world, the United States intelligence community continues to produce, for top policymakers, accurate and timely intelligence without which the term "national security" would be an empty, meaningless phrase.

I want to emphasize, at the outset, the importance of distinguishing between intelligence production and the policy-making—political—process. The intelligence community provides information, the politicians draw conclusions. Should the politicians inject themselves into the production of intelligence seeking support for a policy position—as has been alleged—or if the intelligence community chooses to draw its own conclusions and take action independent of political control—as has also been al-

leged—then the system would become dangerously misaligned and confused, and the security of our nation and the rights of our people could be undermined.

Let me cite an example of the system working in proper harmony. Putting aside the ultimate question on the SALT II Treaty, I believe that the role Admiral Turner has played in the debate is the appropriate one for the Director of Central Intelligence. Despite pressure from within the administration to pronounce the treaty as verifiable, he has insisted on a precise presentation of our capabilities to observe Soviet activities, leaving the political question of "verification" to the politicians. Our country's intelligence professionals must refrain from entering the political sphere—or even the appearance of such a move—lest all the information they provide be suspect as politically tainted.

While Admiral Turner has correctly stayed away from the political arena, unfortunately some of my colleagues have resorted to products of intelligence, not just to complain about how every little thing is going, but to give detailed public reports and views on how things ought to be done. In my view, the recent exposure by my colleague in the other body, the Senior Senator from Idaho, has been both mischievous and damaging—and is tainted with elements of political opportunism.

There is only one politician who has the mandate—under the Constitution—to manage our intelligence apparatus, and that is the President. If a member of Congress wants to be a manager, he should run for President. If he runs and loses, he should accept defeat, forget managing—even if he is a committee chairman—and get back to the broad policymaking role he was elected to—at least as long as he is in office.

In any event, efforts to change one's political colors by use of intelligence reports is unbecoming and damaging to the intelligence community.

Having served as the senior Republican Member on the Pike Intelligence Committee, and through my service now on the House Permanent Select Committee on Intelligence, I am confident that Congress does have an important and appropriate, though restricted role to play in intelligence matters. Some might suggest that, having carried out a prolonged inquisition of the intelligence community, it is time to leave the community alone so that it can get back to work. But that is simply not a sufficient response. The true task lies in a renewed strengthening of the role, capability and morale of the intelligence community, a role in which Congress can and should now be playing an important part.

Many people blame Congress for much of the damage that has been inflicted on the intelligence community, and for the disrespect which has been accorded it. But this ignores the fact that certain improprieties did take place. There has been an excess of rhetoric and retribution, but if Congress is to be blamed for anything, it is that we failed to carry out meaningful oversight between 1947 and 1975 which might have avoided the abuses and the extreme debilitating exposures which the community was put through.

What is needed will not be easy, especially for a body such as the U.S. Congress, whose very lifeblood is partisan differences and politics. But those are exactly the traits which Congress must submerge if it is going to strengthen the agencies that produce intelligence.

We have done it before on matters of urgency to our national security. Today, we are witnessing it in the reactions to the hostage taking in Iran.

Congress, in carrying out its constitutional oversight function, can help assure that in-

telligence activities meet our needs and are performed within broad policy guidelines. In addition, the Congress must see to it that intelligence does not become unduly subject to pressure by policymakers. Instead, it must also strive to be independent of the people it serves if it is to have maximum value.

History tells us that it was once the custom for kings to kill messengers who brought them bad tidings. Happily, we have moved beyond that practice—I think. But intelligence always remains subject to pressures, both internal and external, to provide that which will buttress preferred choices and policies, or that which will not indicate mistakes, flaws or undesirable situations. Congress, if it carries out its new oversight role as an "honest Broker", can be of great assistance in maintaining necessary objectivity.

Beyond this general role of safeguarding the integrity of intelligence production, Congress can also be of help in strengthening intelligence efforts and public confidence in the intelligence agencies.

Our first priority must be to continue producing intelligence concerning those forces which pose direct threats to the United States. The activities and capabilities of the Soviet Union will undoubtedly continue to consume the bulk of our time and resources. But the ability of the intelligence community to carry out this paramount task is now suspect. Estimates of Soviet defense spending have varied widely and have become political footballs. Actual "verification" of SALT II remains questionable. The pro-Soviet coup in Afghanistan was reportedly a surprise to our top officials.

What can Congress do? In the case of Soviet military spending, and in related issues, it is not enough to yell at one another with conflicting sets of statistics. Something more fundamental must be done. We must first ask why this research is of value, why there are so many different ways of calculating it, and what the strengths and weaknesses are of each method. Moreover, where possible, it might be a good idea to explain this to the public at large, and above all, to explain that there are no correct answers, but only a range of estimates. Congress has a role to play in this public education, and at the least should make sure that the President levels with the American people.

Similarly, in the case of verification, it is not enough for the Congress to merely accept or attack the statements of the Administration. But, when the Administration admits that we have lost a portion of our capability because of events in Iran, and then avers that verification remains "adequate," the public will be confused. Our abilities will remain suspect unless we in the Congress speak up on the situation as revealed by our intelligence agencies.

The role of Congress must be as objective and as non-partisan as is humanly possible. Congress can offer a dispassionate analysis of our capabilities—without adding such detail as to divulge material which should be kept secret. Indeed, if your elected representatives feel that our technology is adequate to the verification demands of SALT II, we should say so. If on the contrary we feel that the tools are inadequate to do the job, we should make this known as well—especially to Executive Branch and intelligence officials.

The many facets of our relationship with the Soviet Union is perhaps an easy area to address given its high degree of visibility. Far more difficult, although no less important, are those issues which are more subtle, whose very existence is difficult to discern.

Some would argue that our economic situation, particularly our continued dependence on foreign sources of energy, poses at least as great a threat as the plans and policies of the Soviet Union.

As the President stated at his press conference recently:

We must recognize now, as we never have before, that it is our entire nation which is vulnerable because of our overwhelming and excessive dependence on oil from foreign countries. We have got to accept the fact that this dependence is a direct physical threat to our national security.

To a large extent, the 1973 oil embargo caught us by surprise. Are sufficient amounts of technology, time and personnel being devoted to this issue, and to similar ones? Do we have any idea about other necessary resources which may soon be in short supply, or subject to control by cartels? Are we doing anything to plan against such eventualities? Are estimates of supplies and demands being kept up to date? These are some of the sorts of questions which Congress is asking, and which the intelligence community is striving to answer honestly and forthrightly. In the end, the process here benefits us all.

Similarly, how good are our warning capabilities? We know, for example, that President Carter sent a memorandum complaining about the quality of the political intelligence he had been receiving.

Beyond its oversight role, the Congress is in a position—as the law-making body—to address and correct areas which we see as having problems.

Until recently, the only legislative initiatives being discussed were those having an almost retributive character, designed to further straighten the agencies under the guise of preventing abuse. Of course, a straight jacket provides a sure way of keeping the agencies from committing sins, but the restraint becomes a greater sin when it leaves us vulnerable to the aggressions of foreign powers.

Such a law was the ill-conceived, American Civil Liberties Union backed, Foreign Intelligence Surveillance Act which last year, with AFIO's help, I was able to dilute—but not destroy. Now, by statute, a special court of federal judges has the power to deny the President his decision to electronically surveil a foreign spy—or even a foreign embassy—under the banner of protecting the civil rights of American citizens. This truly bothers me.

This same sentiment was expressed in a letter to the editor, from a banker near my congressional district in Illinois, which appeared earlier this year in the Wall Street Journal under the heading "Call in the ACLU":

Like many of your readers, I was more than slightly startled to find in Mr. Kenneth H. Bacon's March 1 article (entitled) "Pentagon Studies How Boeing Got Secret Information," that Soviet agents routinely monitor telephone lines.

The FBI may not, the CIA may not without court orders. What are we to do? Shall we ask the American Civil Liberties Union to sue spies, since the Justice Department doesn't seem able to stop them?

Equipped with only bold beliefs and few warriors, to do battle against the Congressional leadership supported by the personal efforts of the Director of Central Intelligence, the Attorney General, and the President, we came within a handful of votes of replacing the wiretap bill's most obnoxious features.

In noting my opposition to the electronic surveillance legislation, I want to emphasize that I acted with a complete and deeply held appreciation of the individual rights involved as guaranteed by the Constitution. I did not simply register my objections and sit down, but offered an alternative which—rather than imposing judicial control on an Executive Branch function—would have provided a framework for record responsibility in keeping with the constitutional delegation of commander-in-chief powers to

the President. Indeed, by avoiding a mechanism for buck-passing to the courts—where an irresponsible executive judgment could be immunized by the rubber stamp of a patsy judge—my approach fixed responsibility for a political, foreign policy decision with the political office of the President.

Perhaps, the administration's victory was truly pyrrhic, for S. 2525, the legislation of the last Congress that masqueraded as an intelligence charter—cast by the same ACLU backed coalition which had supported the wiretap bill—has yet to make its perpetually foretold, surgically altered reappearance.

The liberals in the Senate and the liberals in the White House can't even get together enough to agree to disagree and introduce a bill. Speaking of abuse, imagine the reaction to the bill if and when the rest of us get a chance to look at this liberal production.

Any bill which had its genesis in S. 2525 necessarily lacks a foundation in reality. For, while we must not cast aside the concerns of civil liberties, we must appreciate the nature of the targets of our intelligence activities and the types of hostile actions of foreign intelligence services from which we are trying to protect ourselves.

In seeking to directly address the issues raised by proposed charter legislation, I have met with a great deal of resistance from the Administration. I suppose that I shouldn't be surprised, in light of the fight that I gave them on the wiretap bill. After all, the wiretap bill, when incorporated into S. 2525, was only one part of one title of an eight-titled bill. If it took 10 months to get a one-issue intelligence bill—restricting only electronic surveillance—through one house of the Congress, does forever sound too long to get a multi-issue intelligence bill—drafted from a similar viewpoint and hamstringing most other legitimate intelligence activities—through both houses and enacted into law?

Charter legislation is dead, certainly for this Congress. But this is not to say that the concept of intelligence charter legislation is inherently flawed. To the extent that it avoids the laundry-list-of-proscriptions approach, it could be helpful. Certainly, the National Security Agency, which only exists by Presidential Directive, could benefit from a statutory foundation. Likewise, it has been suggested that the Defense Intelligence Agency and the State Department's Bureau of Intelligence and Research be studied for inclusion in a charter which would establish a basic mission for the intelligence community.

In any event, I feel strongly that, for now, we should wait on any intelligence charter legislation. Let a bit of time go by, then we can completely clean the slate and start over from scratch.

Events of today and the recent past have begun to change the public perception of the value of a vital intelligence community. The fall of the Shah in Iran and the takeover of our embassy in Teheran; the aggressive wanderings of Vietnam and China's response; the Soviet brigade stationed in Cuba and Cuban soldiers fighting as Soviet proxies in Africa; the revolution in Nicaragua and the coups in Bolivia and Afghanistan; and what of the mysterious "double flash" over the South Indian Ocean about which we have too little information of substance to nourish the public's hunger for knowledge? All of these events affect our national interests, but without adequate resources and a sufficient delegation of authority, our intelligence community cannot protect these interests as the needs arise.

Fortunately, many members of Congress are escaping their harsh, antagonistic attitudes of the intelligence agencies developed 4 and 5 years ago as they reassess the need for a strong intelligence apparatus. Many now appreciate the importance, for instance,

of a covert action capability, and the way it is hampered by a statutory obligation to broadly disseminate sensitive operational information—with its concomitant increased risk to necessary secrecy.

Rather than restoring responsibility to the use of a valuable foreign policy tool, the Hughes-Ryan Amendment has, in fact, undermined the ability of the United States to effectively conduct foreign policy when extraordinary circumstances present the need for affirmative, clandestine action.

Hughes-Ryan also injures our relations with our allies. This was noted by Admiral Turner, when he spoke last year before the National Press Club:

"One (Allied intelligence service) recently withdrew a proposal for a joint covert action which would have been beneficial to both nations. It did so when reminded that I must notify eight committees of the Congress of every covert action. They could not imagine that the plan would not leak."

The otherwise maligned Pike and Church Intelligence Committees made one good recommendation when they each suggested centralization within Congress for reporting on sensitive intelligence matters. While a Joint Committee on Intelligence was not established, separate intelligence committees have been created in both bodies. I believe that it is entirely appropriate—and urgently necessary—that the Congress amend the law so that, with the existence of an intelligence committee in each House, covert action reporting need only be made to these two committees.

I have solicited support for a change in the Hughes-Ryan Amendment. The responses I have received from the Chairmen and Ranking Minority Members of the affected House Committees have been unanimous in their support for trimming the reporting requirement. While, under the current committee structure, it is proposed that reports would be made only to the House and Senate intelligence committees, Congressman William Broomfield, the Ranking Minority Member on the Foreign Affairs Committee, wrote that he would prefer—as would I—to consolidate reporting to one, joint House-Senate Committee.

Indeed, as part of its overall study of the committee system—and in response to my suggestion—the House Committee on Committees, with the aid of George Cary, is studying the Hughes-Ryan Amendment and the advisability of a unified Congressional Committee.

Other areas impacting on intelligence operations and in need of remedial action are beginning to receive significant congressional attention: (a) The threat of disclosure of classified information at trial—so-called "graymail"; (b) proposed death gratuities for the survivors of CIA employees killed overseas by terrorist action or while engaging in an inherently dangerous task; (c) the Freedom of Information Act; and (d) leaks of classified information—including the names of clandestine officers and agents working overseas.

Let me speak briefly on these last two areas of legislative interest.

The Freedom of Information Act—or FOIA—in its present form has taken a significant toll on the ability of our law enforcement and intelligence agencies to perform their functions. Sources and potential sources of valuable information have refused to cooperate with the CIA and FBI because of fear that their confidentiality cannot be protected from forced disclosure under the FOIA.

These fears are not hard to understand in light of the fact that more than 16 percent of all FOIA requests received by the FBI are from convicted felons, many of whom are looking to identify the people who aided in their arrest and conviction. Indeed, testimony before a Senate subcom-

mittee by an organized crime "hit man" outlined how the FOIA was used to find a DEA informant—and presumably kill him.

The flow of foreign intelligence information is also being disrupted by the FOIA. The chief of one foreign intelligence service has flatly told the CIA that he will not fully cooperate as long as the CIA is subject to the FOIA.

Reporting from our own State Department personnel overseas has also been adversely affected. The staff report of the Foreign Affairs Committee on the assassination of Congressman Leo Ryan has faulted the FOIA as inhibiting the Embassy in Guyana from "candidly and accurately" reporting on Jonestown.

The critical amendments to the FOIA made in 1974 were adopted at a time when questions were being raised about secret, personal information gathered and retained by agencies of our federal government.

However, since 1974, new laws have been enacted and Executive Orders and regulations have been issued to assure the propriety of the activities of our law enforcement and intelligence agencies.

Most importantly, Congressional oversight of sensitive agency programs has evolved, especially with the formation of House and Senate Intelligence Committees. As the Deputy Director of the CIA, Frank Carlucci, told the House Intelligence Committee:

"You, (the Congress), not 20,000 FOIA requesters, foreign and American, are the proper people to conduct oversight."

I, as well as others, asked the directors of the FBI, CIA, and the National Security Agency what changes in the FOIA are necessary to the effective functioning of their agencies. Having received their responses, I endeavored to reflect their views in a piece of legislation. To refine the scope of the FOIA and remove the destructive burden it has created, in August I introduced this bill—the "Foreign Intelligence and Law Enforcement Act of 1979". I might add that this title shortens to the "FILE Enhancement Act."

I am offering this proposal—now cosponsored by 23 of my colleagues from both sides of the aisle—to serve as the starting point for debate in the Congress.

Another subject receiving significant notice is the unauthorized disclosure of classified information—be it through espionage or the increasingly common and increasingly bothersome leak. Without question, such activity undermines the important missions of the departments and agencies of our government engaged in both foreign intelligence and counterintelligence efforts. It destroys secrecy, and, as a result, destroys morale.

My experience on the House Intelligence Committee has taught me many things about our government's intelligence operations. They are sensitive; they are fragile; and, of course, they must be carried out under the protection of utmost secrecy.

Secrecy is important as a matter of both diplomacy and effectiveness. And beyond that—and this is most important—when the element of secrecy is lost, lives can be put in danger.

The present state of the law allows those who steal or leak classified information to believe that their crime cannot be prosecuted. Unfortunately, in most cases this is the all too real, sad truth because the law requires that sensitive intelligence information—in addition to that which the defendant is charged with disclosing—be disclosed in open court in order to prove that the stolen information was properly classified.

When Seymour Hersh states that he would print troop ship movements information even during wartime, and Jack Anderson quotes from classified documents in his

column on an almost daily basis, clearly legislative action becomes imperative.

Therefore, in January of this year, I introduced H.R. 1068, the "Foreign Intelligence Information Protection Act". Thirty of my colleagues have joined me in support of this bill.

H.R. 1068 is the only bill introduced in this Congress which would simplify the prosecution of those who commit espionage. No longer would sensitive national security information have to be publicly disclosed in order to bring a foreign spy to justice.

H.R. 1068 is the only bill introduced in this Congress specifically designed to protect sensitive "sources and methods" information.

H.R. 1068 is the only bill introduced in this Congress which would specifically criminalize leaks of classified information to the press. With a clear leaks law on the books, it is hoped that the FBI would finally begin to investigate leaks and the Department of Justice would prosecute them.

I might parenthetically note that while all but Justice Department representatives, from Morton Halperin to Bill Colby, have spoken in favor of revising the espionage laws, the leadership of the Intelligence Committee has, to date, scheduled no action on my bill or any other similar measure.

Finally H.R. 1068 was among the first bills—of what now totals nine measures introduced in this Congress—which would criminalize the thoroughly disgusting and dangerous disclosure of the identities of clandestine intelligence officers and agents working overseas.

Indeed, in October the entire membership of the House Permanent Select Committee on Intelligence—both Republicans and Democrats—joined in cosponsoring a so-called "names of agents" bill. This bill represents the first time that an apparent bipartisan consensus has been reached on the issue of making criminal the release of the name of an agent—even if the name was obtained from open sources.

This legislation is desperately needed. We must provide all appropriate protection for the brave men and women who serve our vital national interests by working for our country undercover in foreign lands—often at their own personal peril.

Of course, when thinking of this issue, the exploits of Philip Agee immediately come to mind.

Ever since Agee decided a few years ago to work for the destruction of his former employer, the CIA, in some circles it has become a sort of perverse vogue to blow the covers of U.S. intelligence personnel working secretly overseas. Indeed, publications such as *Counterspy*—which was involved in the violent death of the CIA station chief in Athens, Richard Welch, in 1974—and *Covert Action Information Bulletin* came into existence with the sole purpose of destroying, through exposure, all foreign intelligence operations conducted by the United States.

The Director of Central Intelligence, Admiral Turner, hit the mark dead center when he described as "traitors" those who are exposing the identities of our intelligence officers and agents. If these individuals were truly seeking to end all involvement of countries in the affairs of others, why are they only exposing U.S. operations and not those of the Soviet KGB or the Cuban DGI intelligence services. Is Philip Agee really anything other than a traitor?

One last item with regard to espionage. I would like to read to you a small piece which appeared in the March 21 edition of the *Wall Street Journal* entitled "Sci-Fi Security":

We read that a California businessman was convicted and sentenced to two years probation last summer for stealing blueprints

of the bridge of the Starship Enterprise from the set of the new "Star Trek" movie. The man was charged with violating trade secrets after an investigation involving the FBI. In an age when manuals for our most highly classified satellites seem to walk away from CIA headquarters, we suppose we should be glad that someone, somewhere, is concerned about protecting military secrets.

Now that I've had my turn to express my own views on intelligence, I would like to encourage you to take an active role in reshaping the Congressional and public perception of our intelligence agencies and the absolutely necessary role that they play.

One manner in which to accomplish this is to act as an organizational unit in presenting a legitimate alternative to the lobbying groups of the left as poignantly described by Frank McNamara at your annual convention in October. I might note that AFIO's statement on S. 2525, as presented by General Stilwell, was very well received by the Senate Intelligence Committee and went a long way to pointing out the bill's fatally flawed design.

I would also endorse the comments made at your last meeting by John Marsh—recommending contact with officials in the Executive Branch, Members of Congress, and members of like-minded, more broadly focused groups such as the VFW and the U.S. Chamber of Commerce.

Also extremely helpful are articles in the press such as those I have read by Ray Cline, Cord Meyer and Jack Maury. I should add that Jack's piece in the *Washington Post* last December helped provide the inspiration for my introducing the espionage legislation I have mentioned.

There are those Members of Congress who have developed a special sensitivity to the needs of the intelligence community. I count myself in that group.

At the other end of the spectrum are those Members who might never appreciate the important job to be done. However, I should mention the surprising "alliance" I formed with Congressman Drinan last year, who—from a totally different perspective—reached some of the same conclusions I had and decided to oppose the wiretap bill.

And, finally, there is the middle group which, while not yet sold, provides a fertile market for the presentation of well-reasoned arguments from seasoned professionals such as yourselves.

AFIO is the only organization with the sheer depth of brainpower to snatch the Congress from the ever-clacking jaws of the ACLU. The ACLU is well financed and is constantly bombarding the Congress with position papers, letters, and personal visits. Candidly, to compete you will need money to hire staff and pay the other expenses necessary to wage a counter-lobbying campaign. Unless you—as former intelligence professional—take your views to the Hill, the Congress may be listening all too attentively to the ACLU.

In closing, I would like to relate to you the following passage from Ray Cline's book, *Secrets, Spies, and Scholars*:

The world around us is a disorderly and violent one and we should prepare ourselves both intellectually and institutionally to cope with it. We must recognize that many nations are firmly persuaded that our free political and economic society will perish. Some employ extremely large and ambitious secret intelligence organizations to collect information on our political and social weaknesses and exploit such weaknesses to hasten the process of political disintegration.

To preserve our internal security, maintain our mutual defense alliances, and insure adoption of wise defense and foreign policies, we need the most sophisticated, experienced intelligence community of closely

coordinated agencies possible. Second best is not nearly good enough in this field.

Let us all have this observation in mind, for no matter how well run, our intelligence mechanisms are extremely fragile. They can only thrive with the full support of the Congress, and—ultimately—the American public. Your personal and collective knowledge, your perspective must be brought to the attention of all of us. Your years of experience should not be ignored. The efforts you expend are in the interests of our entire nation.

In coming here today, I do so in honor and in deep respect for all of you. You are prominently among the unsung heroes of our nation. I feel honored myself that you have invited me here today—and I look forward to working increasingly close with you on all of these legislative subjects in which we have a common interest. ●

LIBERAL STEREOTYPE OF PRO-LIFE MOVEMENT IS AN INSULT TO NON-CATHOLICS

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1979

● Mr. ASHBROOK. Mr. Speaker, as a pro-life representative of an overwhelmingly Protestant district, I am deeply offended by the practice of pro-abortionist propagandists which stereotypes the pro-life movement as a purely Catholic phenomenon. The purpose of this propaganda, of course, is to give the impression that pro-life sentiment is limited to a portion of the one-quarter of the American population which adheres to the Catholic faith, and to imply from this that the overwhelming majority of the rest of America favors abortion-on-demand. This is pure religious bigotry. It is insulting to Americans of every faith.

Anyone who bothers to look at the areas which have rejected proposals to liberalize abortion will find that they include States which are overwhelmingly Protestant as well as States which are heavily Catholic. As a matter of fact, one of the most gladdening things to me about the pro-life movement is its ecumenical nature. Thousands of Catholics and thousands of fundamental evangelical Christians are marching and working together in a common concern for life. Jewish leaders, and not only Orthodox Jewish leaders, have thrown themselves into this battle, as have many leaders of the Orthodox Christian faith. All the age-old theological differences have been ignored in a common bond of devotion to the preservation of human life.

There is a clear anti-Catholic tinge to pro-abortion propaganda, and people of that faith have every right to be insulted by its bigoted nature. But Protestants, Orthodox Christians, and Jews have an equal right to feel deeply insulted by this repeated assertion that the concern for human life is limited to members of one faith, and one faith only. Every part of the American people has joined in the battle for human life, and it is time the pro-abortionists faced up to this fact. ●

FREEDOM FOR SOVIET JEWS: THREE CASES

HON. MORRIS K. UDALL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1979

● Mr. UDALL. Mr. Speaker, on nine separate occasions this year I have made statements in the CONGRESSIONAL RECORD concerning the sad plight of Soviet Jewish families being held against their will in the U.S.S.R. The Fradkins of Leningrad, the Rosentins of Moscow, and the Paritskys of Kharkov are just three of the thousands of families who have applied for emigration visas but who have been denied repeatedly. I am glad to say that there has been some progress in one of these cases.

ROSENTEIN

I am very pleased to report that Misha Rosenstein, the 18-year-old son of Gregory and Natasha Rosentein, has been granted an exit visa, and that he will be moving to Israel. On November 28, one of my constituents, Rabbi Morton Levine, who has been working for the Rosentins for some time, received a telegram from Mr. Rosentein stating:

We were informed yesterday by officials that Misha has permission to leave for Israel. If they do not change mind it can be realized according to modern procedures in three months. It seems you are one of principals of success, my deepest feelings and thanks to you, Senator (sic) UDALL and to all of mutual friends who save one life. In the same time we were told by Deputy Minister Schumlin that to Natasha, Efraim and me permission can be given on end of 1981 year. Only it means completely (sic) unpredictable future.

Needless to say, all of us who have been pressing the Soviet authorities for some flexibility in this case are very happy that Misha Rosentein will be moving to Israel. And since Misha is 18 years old, it is even more important that he has been granted this visa now, for according to the new citizenship law, in effect from June 1, 1979, young people may be denied permission to emigrate if they are approaching army age (18) and have not yet done any military service. Military service can be avoided for medical reasons, but even if a person enters and graduates from a university he cannot emigrate until he has paid the state back for his education.

Misha Rosentein was caught in this trap, for he could not gain a medical exemption for military service, and if he had been drafted, he would have to serve the normal 3-year term and would have automatically been refused permission to emigrate for an additional 5-year term after his discharge.

It is encouraging that Misha will be allowed to leave, because it means that the other many hundreds of Soviet Jews in the same situation may also be dealt within a humanitarian manner. This is apparently the first time that a young person has been allowed to leave before going into the army, or without having some physical disability. The Soviet law is written to allow the authorities discretion in this type of situation, and I am

glad to see that discretion was applied here.

We also have some more information as to why Gregory Rosentein has had so much trouble obtaining his own emigration permit. In a meeting with a commission of five officials from the Science Research Institute for Instrument Automation, where Gregory worked from 1962-73, he was told that neither the research work he completed after submitting his Ph. D. thesis, nor the thesis itself, are considered "secret" and therefore have not been used to turn down his visa request.

However, the officials claim that in preparing his thesis back in 1965, Gregory had access to, and utilized, a scientific paper that is secret, and that because of this access he cannot be allowed to leave the country. Unfortunately, the Soviet bureaucracy has taken over and the title as well as the contents are classified, so Gregory cannot effectively appeal this decision. Although he does not remember such a report, he agrees it is possible that he might have had reference to it. Gregory claims, and I agree with him, that if this thesis is obsolete, then the material it was based on is probably obsolete as well.

This meeting was held earlier this year, and it is unclear to me whether the recent action on Misha Rosentein's exit visa and the statement by Deputy Minister Schumlin's reflect an official reversal of this decision. I understand an appeal was made to Minister of Radio Industry Pleshakov, so perhaps we will see an official relaxation in this case.

FRADKIN

The Fradkin's case is probably the most frustrating of the three with which I am now involved, for there has been absolutely no sign of any progress. I first began to work for the Fradkins back in May of 1978. Mr. Fradkin has been refused permission to leave for the usual reason: that he had access to "secret" material back in 1963. Mr. Fradkin claims that he was only marginally involved in some theoretical mathematical problems, but any attempt to prove that these "secrets" are no longer important run into a catch-22: Access is usually restricted because of their secret status and anyone wishing to prove they are not "secrets" do not have necessary security clearance.

Mr. Fradkin may also have aroused the ire of Soviet officials by his constant and continual advocacy of his Jewish heritage, and his work in supporting the continued use of the Hebrew language. It is a deliberate policy of the U.S.S.R. to discourage the use of Hebrew, to make instruction in the Jewish religion difficult and dangerous, to destroy as far as possible the access of Jews to both their heritage and to their future as a people. Some Jews, like the Fradkins, refuse to back down.

The Fradkins have been waiting 7 years for exit visas. Their spirits are reportedly low, but they intend to continue their efforts, and I intend to continue trying to help.

PARITSKY

There has been some action in the efforts of the Paritsky family to leave Kharkov, but it has come in the form of harassment.

Workers where Alexander is employed have stepped up their activity, which has previously been limited to ostracism, by demanding that he be stripped of his doctorate because of his support for other refuseniks. As I reported to my colleagues back on September 25, Alexander had been forcibly removed from a phone booth where he was talking to a Soviet Jewry worker in Boston, accused of passing secret information to the American, and of being a spy. Now a "Comrades Court" has tried Paritsky in absentia for passing classified information to the anti-Soviet agents, which is the outcome of the incident in the phone booth, and recommended to legal authorities that he be summarily imprisoned for 14 days.

Apparently he has been sent into a temporary legal exile. In addition, the local press has focused in on the Paritskys on both Alex and his wife Polly 5 times in the last 7 months. They have accused Mrs. Paritsky of being a prostitute, Alex of being a smuggler and an anti-Soviet agent.

Two of my constituents, Barbara and Stuart Holtzman, have been corresponding with the Paritskys and have received a letter which I am including here:

DEAR BARBARA AND STUART: Thank you very much for your efforts, for your help.

It is very difficult time for me and family now, and without your help it was much more difficult for us. This summer was terrible. I sent my family to the country and I planned to go there in July too. But our officials decided to spoil my plan and made a new provocation against me.

June 10 when I was talking in the post office with my friends from Boston through phone they began their attack. Three men and a militiaman took part in it. One of the men was a correspondent of a local newspaper—his name is Steinberg—Jew who some years ago went to Vienna and was in (illegible) and I think he was there with the same task as he was June 10 in the post office.

Well, during my conversation three of them began to cry that I am a spy and that I was telling my American bosses spy information, that I had sold myself for 30 silver coins, and so on. They wanted to stop my conversation with friends. But I did not and continued it, but I changed the subject. (Illegible) They got very angry and tried to snatch me out of the telephone booth without success. Then one of them burst out of the box and tried catch the telephone receiver out of my hand without success too.

After that they call for militiaman and he stop my conversation and began to make an official paper-protocol. I understood they planned to send me to prison during 15 days as a hooligan. They had known that I was to go for my holiday soon, and decided to change the vacation to 15 days prison. But I decided to change their plans too.

As they didn't arrest me (illegible) I went on my holiday some days earlier than I plan, from 18th June, and went to the country to my family. Officials couldn't find me there and became very angry with me.

After I had returned from the vacation back to Kharkov, I know that they has asked our neighbors about the place where my family live in the country. But they couldn't arrest me after my returning back to Kharkov because it was more than a month after

the event. They organized a "Comrades Court" with new blamings me as a hooligan. They published two more articles about us. July 1: the big article about our girls; August 21: a big one about the post office event.

In the whole during seven months they published 5 articles about me in local newspapers. After the July articles our daughters became afraid to go for a walk in the street. But you must know that all their efforts are useless, because we are firm in our decision to continue our struggle for visas. We are sure through our persistence and your help we'll conquer.

With love and hope,

ALEXANDER PARITSKY.

P.S. Now, after the "Comrades Court" which took place a month ago, they sent me to a legal exile to Vorshilovograd, far from Kharkov, from my family and my friend, from the letters and telephone calls from my abroad friends. But will it help them? I'm not sure. They can't stop my activity.

Mr. Speaker, after reading about these people and coming to know about the harassment and persecution they have to live with, it is difficult not to be impressed with them and with their determination. And it cannot be said that men like Daniel Fradkin did not know what they were getting themselves into, that Gregory Rosenstein does not understand the price he personally may have to pay for getting his son to Israel, or that Alexander Paritsky does not realize that he may be sent into permanent exile if he continues his activities. Soviet conduct in this area is well known—you will either be treated badly, or very badly—and there is no doubt that these people and the others like them are paying a high price in their struggles for freedom.

That makes it all the more important that they not be forgotten and that we continue to press for a continued relaxation of emigration rules for all those who wish to leave the U.S.S.R. There has been a substantial increase in the number of Jews who are allowed out this year, maybe as many as 50,000. That is true progress and we can be grateful for it, but it looks as though that hard core of refuseniks, those who have waited longest and have agitated the most, are being held in the Soviet Union as examples to intimidate others who may want to leave. These people should also be allowed out and we must continue to press for Soviet concessions in that area.

As we get close to the beginning of the 1980 Summer Olympics, which are to be held in Moscow, it would be a welcome gesture if the Soviet leadership were to adopt some policy changes in the matter of Jewish emigration. I know there are probably pressures on the leadership in the Kremlin to respond to pressure for increased emigration by bearing down in the refuseniks and by increasing repression. I think that would be a mistake. It could cause increased tension between the United States and the U.S.S.R. at a time when those tensions are already high enough. I hope that all athletes from all nations will be able to participate in the games without harassment or discrimination, that journalists will be allowed complete freedom, that tickets will be distributed without discrimination and most importantly, that there be no harassment, detention, in-

timidation, or transportation of Soviet Jews either before or during the Olympics.

Ultimately, our goal must be to obtain free and open emigration for all peoples from all nations. The Soviet Union and the other countries of Eastern Europe right now have one of the worst records in this area in spite of their signing international agreements such as the Helsinki Accords which clearly allow the freedom to move across borders. We must continue to press them to improve that record. I will continue to do so, and I urge my colleagues to help whenever possible.●

BUSINESS INNOVATION

HON. JIM LLOYD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1979

● Mr. LLOYD. Mr. Speaker, I am grateful to my colleagues, Messrs. AuCoin, Brown, Moore, and Amaro, for providing this opportunity to discuss a topic of particular interest to me—innovation—and how Government may spark its rebirth in the private sector. The part that innovation plays in the economic health of this Nation has been studied extensively, but only recently, when it appears that the economy has run out of steam, has the subject achieved any popularity. Now my colleagues have provided a forum to discuss our work on innovation, and I appreciate it.

American ingenuity is hard to measure, except in terms of the demand for it by foreign customers and by the amounts of protection it needs from imitators, the labor one is willing to expend on it, and the financial encouragement of Government. These measurements—foreign trade, U.S. patents, productivity rates, and Federal expenditures for R. & D.—all indicate an innovation slump. Since the results of innovation are new and improved products, processes, and services—that is, progress—a lag directly affects the Nation's economic health and standard of living.

All the above is described in numerous studies, including the administration's Domestic Policy Review on Industrial Innovation, but what caught my attention in particular was the relationship between innovation and small business. For instance, small business produced 24 times as many innovations per R. & D. dollar as large firms. Yet small firms receive only 3.5 percent of Federal R. & D. expenditures. Again, firms with 20 or fewer employees created 66 percent of all new jobs in the private sector between 1969 and 1976; 80 percent of new jobs came from businesses in their first 4 years of existence. Yet current tax policy discourages investment and makes risk capital scarce, hitting hardest that very sector of the economy which is most innovative and the greatest source of jobs, small business.

I come from a district of shopowners, and I am a member of the House Science

and Technology Committee. These affiliations are not as far afield as some may think, since the committee has been involved for some time in small business innovation research. On November 1 of this year, my Subcommittee on Investigations and Oversight organized joint hearings of the House and Senate Small Business Committees and the House Science and Technology Committee to hear testimony on the start-up, growth and survival of small, new technology firms. The participants were educators, small businessmen, and officials from the National Science Foundation, NASA, and the Small Business Administration. They formed panels on four topics: Government incentives to innovative firms, experiences of small firms, venture capital, and the NSF and NASA interaction with small, new technology firms.

The panelists made numerous recommendations, which I would be happy to share with anyone interested. In general, they described an adversary relationship with the Government, rather than a partnership, and encountered more disincentives to innovation than encouragement, particularly in our tax and patent policies and in the procurement and regulatory processes. Our tax system encourages consumption rather than savings and capital investment. Federal procurement policies exclude small innovative firms from effective participation through complicated proposal and reporting procedures, "stretch-out" payments, and restrictions on unsolicited proposals. Regulations which treat large and small firms alike place an intolerable burden on small business.

The patent system, in particular, needs an overhaul. The present system is much too expensive and time-consuming for small business to participate effectively, and innovation is discouraged. Some of the panel suggestions were:

First. Establish a uniform Federal policy concerning inventor's rights when the invention results from Federal R. & D. funding. At present, there are at least 21 different agency policies. Small business suggests that title to an invention resulting from federally sponsored R. & D. be given to small business with residual rights in the Government if the invention is not commercialized within a reasonable period of time;

Second. Improve the reliability of patents by improving the patent issuing procedure; and

Third. Improve the Patent Court system by having judges who deal exclusively with patent cases. Also, there should be reasonable time limits for each phase of the legal process.

Another area of concern is technology transfer. It was pointed out that many small businesses are not aware of existing Federal programs to assist small businesses or of Federal procurement and R. & D. needs. Communication from the Federal level to the State and local level must be improved. One possibility would be to use an extension service at the local level similar to the agriculture ex-

tension offices currently used to distribute agriculture information and assist farmers. Also, assistance must be provided to the small business in translating the invention into a usable product. The Experimental Center for the Advancement of Invention and Innovation at the University of Oregon and the University of Wisconsin small business centers are examples of excellent programs designed to assist small business during this product-development process.

The President's Domestic Policy Review on Industrial Innovation called for, among other things, the expansion of NSF's small business innovation program and the establishment of similar programs at other agencies. The President called for approximately \$150 million annual funding to expand these programs to other agencies. This should be done as soon as possible so that the larger awards for the phase II principal research project can be awarded during fiscal year 1981. By way of explanation, small businesses submit research proposals with 1 of 13 engineering and science topic areas. From these proposals, meritorious proposals are awarded \$25,000 phase I awards to conduct experimental or theoretical research to test the feasibility of the idea. Phase I awardees compete for phase II follow-on awards to allow them to complete the principal research project. Not all the phase I award winners will receive phase II awards and phase II award winners are encouraged to seek private funding commitments to pursue commercialization of the proposal. The NSF program is highly competitive and most conducive to innovative ideas, and I urge its expansion.

The November hearings were so productive that the subcommittee has begun field hearings across the country. The last hearing will be in my district and is tentatively scheduled for late March or early April. I welcome your participation.

I alluded briefly to the problems innovative small business suffers with the lack of financial backing from both Federal and private sources. Right now, the returns on capital investment and savings are so minimal that it is no surprise that R. & D. funding is down and Americans save less money than any other citizen of the developed world. Innovation needs seed money, so, as part of my work on the Select Committee on Aging, I have sponsored a bill to exclude from the gross income of individuals who have attained the age of 62, \$3,000 of interest received during any taxable year. Obviously, passage of this bill would help our senior citizens living on fixed incomes. At the same time, such an incentive to saving would make money available for loans to small business, the source of most innovation. Right now I have 34 cosponsors to H.R. 541, and, once again, I welcome your participation.

I thank my colleagues for this chance to describe my work on innovation and to hear about theirs.●

THE PASSIVE RESTRAINT STANDARD

HON. JAMES H. SCHEUER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1979

● Mr. SCHEUER. Mr. Speaker, the National Highway Traffic Safety Administration's (NHTSA) authorization bill, H.R. 2585, will be considered on the House floor tomorrow. One issue which may arise during floor consideration is the NHTSA's passive restraint standard. This standard requires that all new cars be equipped with passive restraints, such as automatic seatbelts or air bags, by model year 1984.

The support for the passive restraint standard is overwhelming. In past issues of the RECORD, I and my colleagues have included letters of support from 12 nationwide consumer groups, Nationwide Insurance Co., Allstate Co., United Auto Workers, and the International Association of Chiefs of Police. In addition, editorials from the New York Times and the Washington Post endorsing the passive restraint standard have been inserted. The more recent Washington Post editorial noted that there is no need to consider this issue further because General Motors has announced that it has resolved all technical difficulties.

I enclose the following letter from groups representing over 1,820 insurance companies and 34,000 insurance agents supporting the passive restraint standard:

DECEMBER 4, 1979.

Re H.R. 2585, "The National Traffic and Motor Vehicle Cost Savings Authorization Act."
HON. JAMES H. SCHEUER,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN SCHEUER: We are seeking your help to protect an automobile safety standard that will reduce the suffering and waste resulting from automobile accidents and thereby cut the cost of auto insurance. Economic loss attributable to automobile accidents amounted to \$52.6 billion in 1978. It is also a fact that 51,500 people died in motor vehicle crashes last year and 5,798,000 were injured. The insurance industry is all too familiar with these alarming statistics. We know these numbers are inextricably linked with the cost of automobile insurance. If claims costs associated with these kinds of human losses can be contained or reduced, the resultant savings would be passed on to our policyholders.

It is this concern which has led the insurance industry to support federal efforts to improve automobile safety. We believe it is a worthwhile and cost beneficial objective. In particular, we have worked to promote the concept of automatic crash protection, such as the air bag and the passive belt. As you know, the Department of Transportation has promulgated a regulation (FMVSS 208) to make automatic crash protection standard equipment on all new cars by the mid-1980's.

Within the next few days, the House will consider H.R. 2585, "The National Traffic and Motor Vehicle Cost Savings Authorization Act." We understand that Congressman Dingell intends to offer an amendment to require yet another study of air bags and perhaps to limit the re-authorization to 1 year. The insurance industry urges you to oppose this type of amend-

ment which could result in crippling DOT's automatic restraint program.

The air bag has been intensively tested in both laboratory and real-life situations. Air bag equipped cars have traveled nearly 700 million miles and have amassed an impressive safety record. These devices have already demonstrated their remarkable life-saving and injury-preventing capability.

Additional air bag studies, beyond those which have already been done over the past ten years and those which are now planned by NHTSA, would be duplicative and wasteful. They may also require delays which would prove to be disruptive and possibly fatal to the mass production of these systems.

We strongly believe the Dingell amendment, which threatens to indefinitely keep this lifesaving technology in the political arena rather than in our cars where it belongs, is a serious road block to auto safety. We urge you to defeat it.

Very respectfully,

Andre Maisonnier, Vice President, Alliance of American Insurers, representing over 120 companies; William W. Suttle, Vice President, American Insurance Association, representing over 150 companies; Darrell Coover, Vice President, National Association of Independent Insurers, representing over 450 companies; Jerome P. McGranahan, Washington, Counsel, National Association of Mutual Insurance Companies, representing over 1,100 companies; Duward Sumner, Vice President, Professional Insurance Agents, representing over 34,000 agents.●

PATRIOTISM IN HAYWOOD COUNTY HIGH SCHOOL

HON. ED JONES

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1979

● Mr. JONES of Tennessee. Mr. Speaker, I rise today to recognize and share with my colleagues a magnificent display of patriotism and American unity carried out by a group of high school students at Haywood County High School in Brownsville, Tenn.

Members of the Haywood County student body, led by Mrs. Shirley Curry, wanted to do something to express their support of our President and their moral support of our 50 countrymen being held hostage in Iran. Consequently, they decided to obtain signatures on petitions demanding the immediate release of those hostages. Those petitions have subsequently been delivered to me for delivery to the Iranian Embassy.

What makes this particular undertaking more significant is that the students worked 3 days and obtained 10,000 signatures on the petitions. To further demonstrate the thoroughness with which they covered their own locality, the entire Haywood County population is approximately 19,000. These young people have demonstrated not only a strong sense of patriotism but also a strong determination to support their fellow countrymen who are being held against their will in this international act of blackmail and terrorism.

I know that there are many other events taking place all over our Nation to demonstrate American solidarity in this crisis. But I wanted to share with my colleagues a very touching activity carried out by a group of young people who maintain a strong sense of loyalty to their country and the principles for which it stands.

Today's designation as "National Unity Day" has special significance for the young people of Haywood County High School. Their efforts to demonstrate the solidarity of their locality is to be commended, and I want to express my personal gratitude and pride in what they have been able to accomplish.●

VILLAGES WANT STRONG INDICATIONS OF HEALTH HAZARD BEFORE SPENDING MILLIONS TO TREAT WATER

HON. ROBERT MCCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1979

● Mr. MCCLORY. Mr. Speaker, the dilemma in which local officials from a number of communities in my congressional district find themselves is described in the attached article from the Wauconda Leader of November 15. This news article describes the threat posed by the Federal EPA in demanding compliance with a standard for barium in the community water supplies of 1 part per million—notwithstanding that scientific research and epidemiological data have not established a health hazard for barium at higher levels in drinking water supplies.

The barium, which appears naturally at various low levels in the community water supplies of a number of communities in my 13th Congressional District, has been present since time immemorial with no apparent record of adverse health effects on my constituents.

Mr. Speaker, it is my hope that the Federal EPA will exercise reason and equity by delaying for at least 2 years the establishment of any standard for barium in community water supplies, pending possible congressional authorization of the National Institutes of Health or some other Federal agency to conduct intensive research and to initiate an epidemiological study upon which an appropriate standard may be established.

Mr. Speaker, it is also significant that the Federal EPA is recommending that an acceptable method for eliminating barium ions from community water supplies is by substituting sodium for barium. This is a most paradoxical recommendation in light of the fact that sodium is known to pose a health hazard, whereas the presence of barium at the various low levels in which it appears in some of the community water supplies represents no verifiable health hazard.

Mr. Speaker, the Wauconda Leader article is attached for the benefit of my colleagues, many of whom serve on the committees which have jurisdiction over

the Federal EPA and the funding programs for their activities and related research.

The article follows:

MCCLORY, VILLAGES FIGHT FOR REALISTIC BARIUM COUNT

Northern Illinois, led into battle by Congressman Robert McClory (R-Lake Bluff), brought out its heavy artillery in an effort to overturn what they call unfair federal standards for barium in drinking water.

Local officials and engineers, as well as officials from the Illinois Environmental Protection Agency (IEPA) and professional witnesses stood their ground against representatives from the U.S. EPA in a public hearing Nov. 5.

"Everyone testified, including the IEPA, that the standards are unnecessary and unwarranted," said George Heck of Baxter and Woodman, engineers for Wauconda as well as several other villages involved in the barium controversy.

Heck said that those testifying asked for a moratorium on enforcement until a reasonable standard can be determined and more facts are known.

Heck explained that the federal standards are actually directed at barium carbonate and barium chloride which could form if there was no sulfate in the water.

Barium in the drinking water of Wauconda and other communities, is in the form of barium sulphate which, in that form, barium will pass right through the body and can't react with any other compound.

Heck said that witnesses from the U.S. EPA wouldn't agree with the testimony, arguing that if there is any possible risk involved, strict standards should be imposed.

"McClory did a superb job of cross examination," said Heck. "They came on a little strong and tried to belittle previous witnesses and McClory brought them to task for that attitude."

Heck explained that the subcommittee must still hold further hearings on other minerals and that it will probably be at least another year until action is taken in Washington, so the village will still have to live with the present barium standards.

McClory really did his homework and put the boys from the EPA on the spot," said Wauconda Mayor John Kuester who also attended the hearing. "This is the way it should be. A few people have caused millions of dollars to be spent on this (barium treatment)."

"They (representatives from the U.S. EPA) were egotistical and I take my hat off to Bob McClory for the way he fought."

"The U.S. EPA was on its hind feet defending something they adopted although they know it's wrong," said Kuester.

Heck explained that the present standard is based on the minimum amount of barium that a one-year-old child should take in, drinking one gallon of water a day. That figure has been set at four milligrams per liter.

"The U.S. EPA added an additional safety factor of four," Heck explained, thus reaching the accepted mark of one milligram per liter. "It's all based on size and weight. But we tried to point out they're talking about barium chloride and our drinking water contains barium sulphate."

Heck also reported that the Illinois Pollution Control Board has dismissed an application by the village of Wauconda which would allow the village to use Well Number Four, the well which contains above-standard levels of barium, in an emergency situation.

The village had asked for permission in advance to use Well Number Four in case an emergency condition or catastrophe should call for a large demand of water.

The Pollution Control Board ruled that a variance cannot be granted in anticipation of the existence of an emergency condition.

In case the well must be used to fight a large fire or in case of a large water main break or some similar emergency, the village will now use Well Number Four. If the EPA takes action against the village for using the well, they must then prove that an emergency occurred.

"If you notify them that you used the well and why you used it, I doubt that they (Pollution Control Board) would do anything to you," said Heck. ●

AMERICAN DEATHS IN CAMBODIA

HON. ROBERT K. DORNAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1979

● Mr. DORNAN. Mr. Speaker, in a nation, Cambodia, whose name has become synonymous with the second holocaust (a bloodletting that has resulted in the death of approximately one half of its population), the death of six human beings must seem a minor statistic. But the tragic circumstances under which six of our fellow Americans perished in Cambodia last winter is worth remembering. According to AP reports, our fellow Americans, after being falsely charged with spying, were subjected to the most degrading treatment and torture before they were executed. One case described in the Associated Press report was especially galling: A "foreigner," presumably an American, was painfully dragged, by his beard, naked across a prison courtyard by Cambodian guards. Will these daily degrading stories ever end?

Mr. Speaker, I mention this incident in its graphic details so that we will not forget the abject humiliation that our fellow citizens, including our POW's, have suffered at the hands of barbaric Asian Communist regimes. I mention this because we may some day have cause to directly address our future relations with Cambodia on the floor of this House. This country has been subjected to the most galling debasement by an embittered old fanatic in Tehran since the taking by Communists of the U.S.S. *Pueblo*; this recent news merely compounds our disgust and lengthens our memory. I ask my colleagues to read this tragic latest press report out of Southeast Asia.

The report follows:

SIX AMERICANS REPORTED KILLED AS ALLEGED SPIES

BANGKOK, THAILAND.—Six Americans captured by Cambodians in 1978 were tortured and killed by the Pol Pot regime as alleged spies, according to records seen by an American television reporter in the Cambodian capital of Phnom Penh.

The records from a Cambodian "extermination camp" indicate that the men lived under barbaric conditions and wrote long statements about spying for the United States before they were slain.

Cambodian authorities in Phnom Penh have said three French citizens and two Australians also were among the thousands imprisoned and executed at Tuol Slaeng prison, now an "atrocity museum" in the heart of the Cambodian capital.

The Pol Pot regime was toppled in January by Vietnamese troops, who installed the current government of Heng Samrin.

Sketchy records of the foreigners' experiences at Tuol Slaeng were recently shown to television correspondent Jim Laurie of the American Broadcasting Co., who is visiting

Cambodia. Reports about a month ago indicated such records existed, but the victims' identities were not immediately available at that time.

Laurie's report, sent to The Associated Press, said all six Americans apparently were captured off the coast of Cambodia in 1978 while on yachting excursions and that all were accused of being agents of the U.S. Central Intelligence Agency.

Museum director Ung Pech, described as one of only four former prisoners to have escaped execution, told Laurie that in late December of 1978 he saw one "foreigner" being dragged by his beard across the prison courtyard to an interrogation cell. He recalled the man was naked except for a scarf across his waist and was crying out in pain.

Pech said he later overheard prison guards, say, "Those Americans brought here will be executed after interrogation."

Members of the present Cambodian government say Pol Pot had more than 20,000 persons executed at the camp.

The records, according to Laurie's report, revealed the following about the fates of the foreigners:

Americans James William Clark and Lance McNamara were admitted to Tuol Slaeng April 23, 1978, and Clark signed a rambling, confused 20-page confession a month later in which he described how they came from California and Mexico to Southeast Asia and were picked up while sailing in the Gulf of Thailand in April 1978.

Clark said he was a resident of Sepulveda, Calif., and was born in Minneapolis April 5, 1943. Little information was given about McNamara except his age, 33.

Americans Christopher Edward Delance, born 1949, and Michael Scott Deed, born 1949, were listed in prison entry records for Nov. 26, 1978, and apparently were captured near the Cambodian port of Kompong Som.

Delance's confession was dated Jan. 5, 1979, just two days before Vietnamese forces captured Phnom Penh.

The records give hometowns for the Americans variously as Hawaii and Long Beach, Calif., and say Delance had a "CIA number" of "570-80-677," probably a reference to his Social Security identification number.

Australians David Lloyd Scott, born 1946 in Western Australia, and Ronald Keith Dean, born 1943 in New South Wales, were listed as being captured the same day as Delance and Deed. Scott wrote in a confession dated Dec. 12 that the group had set sail Oct. 23, 1968, from Brunel, the sultanate on the island of Borneo, bound for Thailand.

Americans Kerry George Hamill and John Dalton Henk (spelling romanized from the Cambodian) apparently were captured in a small boat Oct. 13, 1978.

The three Frenchmen, some of mixed Vietnamese and French parentage, apparently had remained in Phnom Penh after the communist takeover of the Cambodian capital in 1975.

Andre Gaston is described as a "French spy" and a secretary of the French Embassy in Phnom Penh.

The brothers Harard and Rovin Bernard were taken to Tuol Slaeng in April 1976 and told to prepare to return to France. But they and Gaston were taken to "Takhamau" on April 29, 1976. Cambodian survivors explained that Takhamau was the execution center for the prison. ●

HUMAN HEALTH EFFECTS OF DIOXINS

HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1979

● Mr. CARTER. Mr. Speaker, I would like to alert my colleagues to the fact

that a bill will soon be considered by the House calling for the Department of Health, Education, and Welfare to conduct an epidemiological study on the long-term human health effects of dioxins, which are acutely toxic contaminants.

I am particularly concerned about the possible adverse health effects of dioxins, because of a related situation in my district in Kentucky, which I have been watching since early October. An unusual number of severe health problems, including leukemia, have shown up in the vicinity of an Army depot, which had, over a number of years, received shipments of goods in crates treated with pentachlorophenol. Pentachlorophenol is a commonly used wood preservative, and several types of dioxins are produced during its manufacture.

The following article from the December 16 edition of the Washington Star describes this alarming situation.

The article follows:

CHEMICAL ON OLD ARMY AMMO BOXES FEARED POISONING TOWN

(By Mary Thornton)

RICHMOND, Ky.—Bessie Cain, a tiny scarecrow of a woman, wraps her faded blue cotton housecoat more tightly around her and shivers as she gazes outside into the cold afternoon drizzle. Since she moved to her small farmhouse on a Kentucky hilltop nearly 10 years ago, she says, things have been going wrong.

First, she noticed that her chickens were dying, then the hogs didn't seem to gain weight the way they should. "Don't care how much you feed them," she says, "it don't do any good. They just goes down."

Then several years ago Cain, who is now 65, began to lose weight herself and become weak. And finally, the man who helps her take care of the animals began to break out in a rash on his arms, legs and face.

"I felt real good when I moved here," she says, "but I just kept going down, just getting skinnier. And I'm so weak now, I don't even go out any more. Doctors don't know what to make of it."

As time has gone by, other people in the Richmond area have begun to complain of other illnesses—leukemia and other cancers, brain diseases, respiratory problems, general blood disorders. In a town like Richmond, with a population of only 17,000, diseases like those don't go unnoticed for long, and people began to wonder what could be happening.

Although no one is sure, many now believe the illnesses are related in some way to the Lexington Blue Grass Army Depot just south of Richmond. For the most part, the people with problems either worked at the depot or bought surplus wooden ammunition cases there. Cain used that wood to heat her house and to build the chicken coop.

After several months of preliminary studies, a coalition of federal agencies, including the Environmental Protection Agency, the Center for Disease Control and the National Institute for Occupational Safety and Health, has decided that the complaints in the Richmond area warrant a major health study which will begin next month.

Prime focus of the investigation will be on the chemical pentachlorophenol, known as PCP, a common wood preservative which was used on all ammunition cases at the depot starting in 1968. The surplus wood was sold for \$1 per truckload. And it can be found today all over the Richmond area.

The wood was used to build houses, porches, barns, chickencoops and pigpens. Many people burned it to heat their homes

and in their tobacco beds for curing tobacco.

Scientists caution that there's no guarantee the health problems here were caused by the PCP.

"We're talking about an ammunition depot where they could have been exposed to nerve gas or other poisons," said Dr. Roy Ing of the Center for Disease Control in Atlanta who is participating in the study.

Besides PCP itself, the researchers will have to take into account the oil the PCP was dissolved in before it was put onto the wood, whether it could have contained some cancer-causing substance. Also, they will have to look at the impurities produced in the PCP manufacturing process.

But if the PCP is shown to be dangerous, its effects will not be limited to the Richmond area. The chemical is commercially available over the counter in almost any hardware store and has a wide variety of uses—as a wood preservative, a weed killer, a general pesticide, and as an ingredient of certain paint and wood stains.

Independent of the Richmond complaints, EPA had already become concerned about the safety of PCP and issued a request in October 1978 for manufacturers and users of the substance to submit any available information on its risks and benefits.

EPA records indicate 240 manufacturers in the United States are selling more than 50 million pounds of PCP annually under 548 product names.

Hugh Sowers, who was the union steward at the depot, remembers the first day that food came into the depot loaded into 90 railroad cars.

It was a hot day in August 1968 and the depot was working three shifts a day, seven days a week to rush mortars and grenades to Vietnam. The Army had just begun to use the preservative on the wooden ammunition crates because the untreated crates had started to rot in the humid jungles of Southeast Asia.

"The stuff was so thick it stuck to everything, just like molasses," said Sowers, 60, who now has leukemia. "The railroad cars were so gooky, the forklifts would get stuck in them."

As the boxcars sat in the hot sun, Sowers said, the temperatures inside them went as high as 120 degrees, and the men began to gag and cough and pass out from the chemical fumes.

Although that first batch of cases was the worst, Sowers and other workers say that for the next three years the cases coming into the Bluegrass Depot were especially heavily treated. Since then the boxes have been drier, and the chemical odor has not been so overpowering.

Meanwhile, until 1973 the Army sold or gave away the wood as it became surplus. Good boxes were sold for 50 cents a carload, \$1 a pickup load and \$2 for a large truck full. The broken boards were given away free—for kindling.

It has been recognized for years that improper handling of PCP can be very dangerous. Manufacturers readily acknowledge that the substance can be fatal and products which contain PCP are stamped with a warning.

A typical warning on the front of a can of commercially available wood preservative cautions that it is "harmful or fatal if swallowed or absorbed through the skin." Small print on the back cautions that the product is toxic to fish and wildlife and should never be used inside a home unless it's going to be covered with paint or another sealing substance.

"The most risky situation would be for people to use PCP inside their homes," said Bernard Schwetz, a scientist at Dow Chemical Co.'s Midland, Mich., lab. "That would have the most potential for injury."

Scientific studies in both the United States and Europe list numerous cases in which PCP was harmful to human beings:

Workers involved in the manufacture of PCP have become ill and even died after putting their hands in a solution of the substance.

Twenty babies in a small St. Louis hospital developed a strange illness after a laundry detergent containing PCP was used to wash their diapers and sheets. Nine of the babies became seriously ill, and two of them died.

A California woman became suspicious when she moved into a new home and all of her houseplants died. Eventually she became weak and started to lose weight. After a doctor found abnormal levels of PCP in her blood, it was discovered that the interior of her home had been coated with paint containing PCP.

Animal studies have shown that in large doses, PCP can cause miscarriages and birth defects. Schwetz said that his studies on rats had shown kidney and liver problems, but no cancer.

Researchers who plan to do the Richmond study say that if the substance is causing leukemia, the cases discovered so far would just be a small fraction of what could come later.

Most cancers take between 10 and 20 years from the time the victim is exposed to the chemical until he actually gets cancer. The exposure time in Richmond has been only 11 years or less.

The first persons to become alarmed about the possible problems with the PCP were Lola Truett, a former Richmond resident, and William Grise, a local doctor.

"It suddenly occurred to me that every time I got a letter from home," said Truett, who now lives in Florida, "it was either someone dying from cancer or finding out they had it."

Truett said that she and her sister put together a list of 200 friends and relatives with some form of cancer, and she then called the Center for Disease Control, asking for an investigation.

Meanwhile, Grise, who runs a storefront medical office just off Richmond's Main St., had been discovering unexpected diseases in his own patients and hearing rumors about others. And he began to put together a list of people with complaints which he considered unusual in a rural, unindustrialized farming area.

He began hearing about people like Fred Perkins, a farmer who used the treated wood in his barn, to make a porch, and to burn in his home and in his tobacco beds.

Perkins, who had never even been to a doctor until June of 1977, has spent most of the last two years in bed, lying on his left side, staring at the wall where 10 different kinds of pills are lined up in a long row. Besides leukemia, he has cancer of the spinal cord, and must take medication every three hours to dull the pain.

Then there was Sowers who, besides his leukemia, has had six operations for skin cancer.

And Elton Scrivner and Bill Foley, both confined to hospital mental wards with brain diseases that showed up after they worked with the PCP-treated boxes at the depot.

"They say there's no cure," said Mrs. Lucille Scrivner of her husband's condition. "He's only 54, but he's got no memory any more. His eyesight's going and he's lost about 65 pounds. He weighs barely 100 now. He's been in the hospital more than a year now, and I doubt he'll ever be home again."

Lester Jones, a ruddy-faced man of 63 who worked at the depot for more than 30 years until his retirement three years ago, has been suffering for several years from a blood disorder, which may be a precursor of leukemia.

But in spite of his problems, Jones does not

blame the depot. "Something happened to me, but I don't know what it was. But I won't say it came from the depot 'cause I just do not know."

Mohl conceded that the PCP-treated boxes were burned at the depot for a three-month period in 1977, but he said there has been no burning of the wood since.

Even if it is found that the PCP-treated wood does cause health problems, Mohl says there's no way the Army could have known.

"This is just a common wood preservative, and the Army uses just a small amount of it. It's all over the place now—practically every house built since 1970 has got some of it," he said. "There was no reason for us to think there was anything wrong with it."

Mohl added that as far as he knows, the treated wood was used at every Army depot and was probably sold as surplus at other depots.

"Obviously, we're going to cooperate in the study," he said. "We've got nothing to hide. But this PCP is everywhere. If they find out that the Army's got a problem, then the whole world has a problem." ●

COMMERCE CLAUSE

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1979

● Mr. PAUL. Mr. Speaker, it is vitally important the meaning of the "Interstate Commerce Clause" of the Constitution be understood if we ever expect to reduce Government regulation of the economy. The Commerce clause is the single most important clause in the Constitution as far as its being used as justification for the Federal Government's most extensive powers. Price and wages controls, EPA, TVA, antitrust, the Interstate Commerce Commission, and so on have been justified by this clause. At one time there was a distinction made between interstate and intrastate commerce, but the Federal courts have destroyed any such distinction. The clause is now used to justify virtually all Federal interference in the economy.

That has not always been the case, however. Originally the clause meant something quite different, and if one accepts the principle of legal interpretation (and of all interpretation) that the meaning of a law is the intent of its authors, then the clause does not mean what the interventionists say it means. For example, Edward S. Corwin, professor of jurisprudence at Princeton for almost 30 years, points out:

(The clause) is the most important basis for judicial review in limitation of State power. The . . . restrictive operation of the clause was, in fact, long the more important one from the point of view of Constitutional Law. Of the approximately 1400 cases which reached the Supreme Court under the clause prior to 1900, the overwhelming proportion stemmed from State legislation. It resulted that . . . the guiding lines in construction of the clause were initially laid down by the (Supreme) Court from the point of view of its operation as a curb on State power, rather than of its operation as a source of national power. . . .

Unquestionably, one of the great advantages anticipated from the grant to Congress of power over commerce was that State

interference with trade, which had become a source of sharp discontent under the Articles on Confederation, would be thereby brought to an end. As (Daniel) Webster stated, . . . "The prevailing motive was to regulate commerce; to rescue it from the embarrassing and destructive consequences, resulting from the legislation of so many different states, and to place it under the protection of a uniform law."

That the intent of the authors was to free trade, not grant more power to interfere with it, may be seen from the following quotations:

James Madison:

Power was granted to the Congress over interstate commerce as "a negative and preventive provision against injustice among the States."

The Federalist:

No. 42: "The powers included in the third class are those which provide for the harmony and proper intercourse among the States. Under this head might be included the particular restraints imposed on the authority of States . . . to wit: to regulate commerce among the several States and the Indian tribes; . . . A very material object of this power was the relief of the States which import and export through other States from the improper contributions levied on them by the latter. Were these at liberty to regulate the trade between State and State, it must be foreseen that ways would be found out to load the articles of import and export, during the passage through their jurisdiction, with duties which would fall on the makers of the latter and the consumers of the former. . . ."

"The necessity of a superintending authority over the reciprocal trade of confederated States has been illustrated by other examples as well as our own. In Switzerland, . . . each Canton is obliged to allow to merchandise a passage through its jurisdiction to other Cantons, without an augmentation of the tolls. . . ." (The Paper goes on to cite Germany and the Netherlands also.)

Alpheus T. Mason, Professor of jurisprudence at Princeton:

Removal of obstructions on commercial relations imposed by the "sovereign" states was a moving cause of the Philadelphia Convention. For protection against these burdens and restrictions, Madison, as a Member of the Continental Congress, has advocated general authority over commerce. . . . There seems to be no doubt that the commerce clause was inserted in the Constitution primarily to prevent states from interfering with the freedom of commercial intercourse.

James Madison:

"I always foresaw that difficulties might be started in relation to this power which could not be fully explained without recurring to views of it, which, however just, might give birth to specious though unsound objections. . . . Yet it is very certain that it grew out of the abuse of the power of the importing state in taxing the non-importing, and was intended as a negative and preventive provision against injustice among the States themselves, rather than as a power to be used for the positive purposes of the General Government."

The meaning of the Commerce clause is clear, based upon the quotations from Madison and the Federalist. It was to remove obstructions from commerce, not impose them. One interesting thing that should be pointed out is that the only "regulation" contemplated by the authors is taxation. The clause was designed to end taxation of commerce by the States; even interpreting, or misin-

terpreting, the clause, then, as giving positive powers to the Federal Government, the only positive power given would be that of taxation.●

WHO CAUSED IRAN?

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1979

● Mr. ASHBROOK. Mr. Speaker, we have seen a major phenomenon in the United States. A sitting President has doubled his popularity by letting American hostages languish for over 44 days in a foreign nation. The headlong tilt toward considering Mr. Carter as a major leader of patriotic sentiment in America is one of the many stories to be written about the Iranian crisis. I welcome a rebirth of patriotism in the United States, but I think it is currently being misdirected into support for one of the major reasons we have this crisis in the first place.

Already people are beginning to wonder how American hostages could have been taken by an angry mob, how America could be held at bay for these many days, and now how come our own allies have hesitated to rally to our cause. Like the many other historic questions, the issue of "Who Caused Iran?" will burn brightly in the public view, and then in academic circles for years to come. I would like to offer my own assessment of this matter.

Iran, like Taiwan, Nicaragua, and SALT II, came about through an abandonment of U.S. commitments to the friendships and moral principles we have built this Nation upon. During the last 3 years the Carter administration has bested Neville Chamberlain for the 20th Century honor of having given the most ground for the least amount of return in the face of the enemy. Our allies and foes alike have watched this dismal track record with equal astonishment. Our friends have seen a once strong Nation give way to short-sighted goals and squander major diplomatic chips. Our friends have questioned our sincerity toward their well-being as they watched us undermine Somoza, abandon Taiwan, and cave in on SALT. Our foes looked on in wonderment at how an American President could forsake so much for so little without major outcries from the U.S. citizenry.

Part of the reason why Mr. Carter has gotten away with so much is the fact that America has had its attention turned to domestic issues. Energy and inflation asserted their burden on the American public and became one and two on all lists of major issue concerns. This left the Carter regime a free hand to work its will on foreign policy knowing full well their efforts were watched by few in America. All went along well for Mr. Carter in his efforts to be buddies with the Kremlin and Peking until reality came back into the picture in the guise of angry mobs in the streets of Tehran.

Iran was in a volatile state as 1978 drew to a close. The mobs in the streets wanted reforms, but they were torn between an acceleration of Western style freedom or some sort of drastic regression into the Islamic dark ages. For years the Shah had walked the thin line in between these two major elements of Iranian society. His efforts even won him accolades among liberal academicians like Nathan Pusey at Yale, who awarded the Shah an honorary doctorate. Many times before the Shah had been able to escape the mobs and continue his path toward 20th century. In 1979 his luck ran out. Yet the surprise was not as much the downfall of the Shah as his replacement with a wildly anti-American demagog, the Ayatollah Ruhollah Khomeini.

In these last grim weeks of this year Americans wonder how a nation that was so close to the United States could erupt into a major threat within months of a change in government. Out of bewilderment over events, and solidarity over the plight of fellow Americans, the people of the United States have banded together in the tightest bond since World War II. This resurgence of patriotism has strengthened America's hand in dealing with the Iranian crisis, but it has also thrust President Carter into a position of domestic strength that is totally undeserved. As President of a Nation in crisis, he needs support; as a major factor in causing the crisis, he should not be in this position. Two recent articles outline the surprising collapse of the Shah. Both tell the tale of how the United States aided and abetted the Shah's downfall at the direction of Mr. Carter and the State Department. Had Iran spun off into the anti-American orbit peacefully, we would have had only another example of incompetent appeasement. This time, however, the mobs decided to take fifty Americans along with them, and thus we have a major crisis.

The questions still need to be asked as to why Mr. Carter wanted to end the Shah's rule, and why he allowed the American Embassy to stand with guards armed with only tear gas after it had been taken over once before.

In the interim we should at least heed the words of the following articles, and start the process of realizing who got those fifty Americans into their present dire predicament:

WHO TOPPLED THE SHAH?

(By Rowland Evans and Robert Novak)

Shortly after the second seizure of the U.S. Embassy in Tehran on Nov. 4, Gen. Alexander Haig, in private talks with politicians and businessmen, accused the Carter administration of assigning his NATO deputy to hasten the Shah's fall as Iran's ruler a year ago.

That was given by Haig as a major reason for his resignation in July as NATO supreme commander and his retirement from the Army. Never before, has undermining the Shah been listed as a purpose of the shadowy mission to Tehran early last January by Air Force Maj. Gen. Robert E. Huyser, Haig's deputy.

Haig, who is eyeing a long-shot bid for the Republican presidential nomination, has not gone public with his sensational charge. When asked by Washington newsmen over breakfast Nov. 21 why he had left NATO and

the Army, Haig never mentioned the Huyser mission. Nevertheless, his private chats have fired the opening round of a battle with profound political implications: "Who lost Iran?"

Whether or not Haig's interpretation of President Carter's motives is accepted, he is supplying previously unknown information about upper-level Washington intrigue as the shah toppled. Here began the administration's policy of making common cause with revolutionary impulses at the expense of old allies.

The policy took effect with a transatlantic telephone call early last January from Gen. David Jones, chairman of the Joint Chiefs of Staff, to Haig at NATO headquarters in Mons, Belgium. Haig learned for the first time that the Carter administration planned to dispatch Huyser, who had exceptional contacts with the Iranian military and the royal palace, to Tehran.

Huyser's mission, as explained by Jones to Haig, was "to keep the Iranian military united and effective." That meant urging the Iranian generals not to attempt a coup against the shaky new civilian regime of Shahpour Bakhtiar—the description of the mission given the press.

Haig regarded this as a smoke screen. Secretary of State Cyrus Vance, in ascendance over national security adviser Zbigniew Brzezinski, wanted the shah quickly removed from power. To Haig, the Huyser mission promoted this plan. He informed Jones on the telephone that night that he did not want himself, his deputy or the U.S. military involved in what he viewed as a specious undertaking.

The next morning, word came to Mons from Washington that Haig would have to live with it, like it or not. Deputy Secretary of Defense Charles Duncan, acting secretary during Harold Brown's temporary absence, overruled Haig. Direct orders were transmitted from Duncan to Haig's deputy; Haig was odd man out.

Those secret orders are described as "ambiguous" by those who have seen them. The widely respected Huyser is reported by colleagues to have been unhappy with his task. But as a good soldier, he did not complain then or now (he is currently on active duty at Scott Air Force Base, Ill.).

Haig's theory that Huyser was an instrument of U.S. pressure to drop the shah is strengthened by this fact: his mission coincided with leaked reports out of Washington that U.S. policy-makers finally had concluded the shah must go. U.S. policy at this time was that Bakhtiar could gain influence over the military and win over the Moslem radicals only if the shah were out of the picture.

Whether or not because of Huyser's carrying out his orders, there was no military coup. That did not save Bakhtiar's short-lived regime from being supplanted by Ayatollah Ruhollah Khomeini. Nor did the Carter policy achieve its stated purpose of keeping Iran's officer corps intact. While many officers were executed by Islamic revolutionaries, the chief of staff contacted by Huyser—Gen. Abbas Gherabaghi—is believed to have cooperated with the mullahs running the revolution.

Nobody knows whether a military coup would have brought Iran stability. There are senior U.S. Army officers who believe that, had it not been for the mission imposed on Huyser, the Iranian military would have seized power, exiled the shah (perhaps letting him return as a ceremonial monarch) and established a moderate, pro-Western regime. That theory may well understate the volcanic fury of Khomeini's followers.

The point of Haig's revelations is that the administration's plea that it could do nothing to save the shah is not the whole truth.

As with Anastasio Somoza in Nicaragua, the United States contributed to the demise of a repressive authoritarian who had been a longtime ally of this country in hopes of winning favor with his successors. It is that policy, rather than the president's day-to-day conduct of the current crisis, that is most vulnerable to future investigation.

SHAH CLAIMS CARTER BETRAYED HIM—BLAMES U.S. PRESSURE TO RELAX HIS GRIP ON IRAN FOR DOWNFALL

(By Jack Anderson)

WASHINGTON.—In memoirs that may never be published, the deposed Shah of Iran blames Jimmy Carter for pressuring him to make concessions that cost his throne and brought Ayatollah Ruhollah Khomeini's triumph, the shah charges bitterly, by blocking the Iranian armed forces from seizing control of the country.

Highlights from the suppressed memoirs have been confided to us by family members who said the shah, as a form of therapy, had poured his frustrations into writing about the events that had caused his downfall. They identified ex-Secretary of State Henry Kissinger as the one who had persuaded the shah not to publish his memoirs.

Here, nevertheless, is the shah's version of the cataclysmic events in Iran:

In the last year of his reign, the shah was under constant pressure from Washington to relax his grip on the country. The U.S. Embassy persuaded him that, as a prerequisite for better relations with President Carter, he should dismiss his SAVAK chief, Gen. Nematollah Nassiri. The head of the dreaded secret police, accordingly, was fired on June 6, 1978.

Under continuing U.S. pressure, the shah also released hundreds of political prisoners and eased press censorship. Instead of mollifying his enemies, he contends, these moves convinced them that he was weakening. They were encouraged to heighten their opposition with massive strikes.

The shah ordered a crackdown which led to a bloodbath in early September. He received a personal telephone call from Carter deploring the loss of life and urging him to resume his political liberalization program. The shah was too heavily dependent on the United States to ignore the request.

He complains in his memoirs that U.S. restraints prevented him from smashing his enemies who took advantage of his impotence. He repeatedly called upon the U.S. Embassy for advice and support, but Carter took a hands-off attitude.

As the situation deteriorated, the president started to send a naval task force, led by the nuclear carrier *Constellation*, into the Persian Gulf. But he had a change of heart and canceled the order. Instead, he pressured the shah to vacate his throne.

As the shah tells it, he acted on the American advice and agreed to leave Iran. But he was led by Carter to believe it would be a temporary absence—just long enough to permit the military to stabilize the country and block Khomeini from returning.

The shah recalls that he was offered refuge in the United States until the way was paved for his return. He turned down the invitation and remained in the Middle East so he would be more accessible to his generals.

Then without warning, he alleges, Carter pulled the rug out from under him. According to the shah's view, his generals were notified that if they tried to seize control and bring back the shah, the United States would cut off all supplies and assistance.

This warning allegedly was delivered to the Iranian military by Gen. Robert E. Huyser, who was then second in command of U.S. forces in Europe. Pentagon sources confirm that Huyser, acting on orders, asked the Iranian generals not to attempt a military

coup. Huyser told us he could not comment, under the circumstances.

Huyser's superior of the time, recently retired NATO Commander Gen. Alexander Haig, disapproved of the shadowy mission, fearing that the "practical consequences would be to bleed the Iranian military to death."

Haig explained to us that he was "profoundly opposed" to the Carter administration's orders. He described the orders as "ambiguous," and while praising his subordinate as "outstanding," stressed his feeling that Huyser's mission was ill-advised because "it wasn't helpful to send a military man to do a diplomat's work."

The shah has another bitter complaint against Carter. The president once praised him in language that was almost obsequious. In a New Year's Eve toast at the dawning of the shah's final year, Carter declared: "Iran, because of the great leadership of the shah, is an island of stability. . . . This is a great tribute to you, Your Majesty, and to the respect and the admiration and the love which your people give you."

A year later, Carter not only dumped the shah but cut off all contact. Family sources say the shah is bitter because he hasn't even received a get-well card from the Carters since he arrived at a New York hospital for cancer treatment. ●

IRVING KRISTOL ON THE WORST CASE

HON. ROBERT K. DORNAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1979

● Mr. DORNAN. Mr. Speaker, domestic prosperity and tranquillity will become increasingly dependent upon the stability of the global balance of power. But that stability has been eroded in recent years by the ominous emergence of two distinct variables in the world power equation: The unprecedented growth of Soviet military power and the increasing dependence of the United States and its Western Allies on the raw materials in the less industrialized nations of the world.

Consider the current crisis and its implications in the Persian Gulf region. Oil now provides 55 percent of the world's energy requirements. Western Europe imports approximately 80 percent of its oil from Middle Eastern sources. Japan imports over 90 percent from the Middle Eastern oil-producing countries. And the United States addiction to imported oil has risen sharply in the past few years, accounting for approximately 50 percent of U.S. petroleum usage at a cost of approximately \$70 billion annually. The United States, Western Europe, and Japan, the vast industrial complexes of the globe, are utterly dependent on imported oil and raw materials for economic survival. By sheer volume, more than 95 percent of the world's commerce is carried by sea. Control of the sea is tantamount to economic control; and control of a nation's economy is tantamount to controlling a nation's ability to wage war in defense of its vital interest.

Since the British withdrawal east of Suez in 1968, the Soviet presence in the region and along the vital sea lanes of

the Indian Ocean, even around the Cape of Good Hope, has increased dramatically. Russian influence is strongly present in Syria, Iraq, Yemen, and Afghanistan. With Cuban assistance, Russian influence in Ethiopia and the Horn of Africa has been consolidated. The real objective is to control the oil routes and establish dominion over access to the mineral wealth of the sub-Saharan African continent.

The Wall Street Journal recently carried a brilliant article by Prof. Irving Kristol of New York University elaborating upon the dangers that confront this Nation in the years ahead. There have been a number of excellent articles on America's foreign policy appearing in a variety of academic journals and publications of high repute, but Mr. Kristol's piece stands alone in its cold and foreboding scenario; that the decline of American power will signal the collapse of the democratic political order in the West. He rightly supports the wisdom of political theorists who view democracy as a delicate flower, needing constant nourishment, constant civic attention, and a proper atmosphere for economic growth and prosperity. The ancient Greek experiences in democratic government were unhappy episodes, marked by popular expropriations of limited resources, a breakdown of social cohesion and violent bloody civil wars. The rich would oppress the poor; and the poor would seize state power and plunder the rich. Politics would collapse into violent factional contests between the urban lower classes and wealthy landowners.

But the sinews of democratic government in the West were strengthened in the 19th century by an expanding economy; expropriation was no longer perceived a social necessity by the poorer and more numerous classes blessed with the bountiful opportunities of an expanding free-market economy. But now the economy of the United States and the Western World has become increasingly dependent on raw materials from the less developed states of Africa, Asia, and the Middle East. We are more dependent now on external resources than ever before in our history. And that dependence will continue to grow. The price of energy will continue to rise, as orchestrated by the princes of OPEC, even as the world's supplies of oil continue to shrink. My greatest fear is that the classical critics of democratic government will once again be vindicated even from the silence of the grave; the yellowed pages of old books will achieve a new relevance.

Americans hard pressed by rising energy prices and the unrelenting pressure of foreign influences, we will discern each and every day, month after month, year after year that our standard of living, is declining and our opportunities for our children and our grandchildren are being closed by the vast impersonal forces of a bewildering historical change. Are we for the first time in our short and abundant history, a people blessed with political and economic institutions enabling citizens to achieve a degree of personal liberty unparalleled in human history, finally to reenact the age-old death scenes of Graeco-Roman republics, a bitter struggle for larger pieces of an ever shrinking

pie? Prof. John McKetta, a leading energy expert and an instructor in chemical engineering at the University of Texas, predicted such a social upheaval over the cost and availability of energy in the 1980's at the 72d annual convention of the American Institute of Chemical Engineers in November of 1979. Said Professor McKetta: "They (the people) are going to rise up and say they don't want to freeze in the dark in a clean environment."

Recent events in Iran, as Mr. Kristol has observed, mark the beginning of a tense decade of confrontation between America and its adversaries. Our people will be asked to meet unprecedented challenges in the years ahead. It is a time for dynamic and imaginative leadership of a caliber rare in our history, in any history.

There are broad policy options available to us; but we are in a race against time. First, we must make dramatic efforts to accelerate the production of domestic energy resources through deregulation of oil and natural gas, and the extension of accelerated depreciation and liberal tax credits for the private sector in order to encourage the development and commercial use of alternative forms of energy.

Second, we must undertake dramatic diplomatic initiatives toward both Mexico and Canada in order to foster mutual cooperation in trade relations, particularly as they apply to energy and natural resources generally. Third, we must encourage the productivity of our own economy through an encouragement of savings and capital investment. It is only through the availability of risk capital that we will spur the technological innovations that will increase domestic productivity, curb the rate of domestic inflation and make American goods increasingly competitive on international markets. Finally, we must do everything humanly possible to restore the balance of power, particularly naval power, in order to protect our shipping lanes and secure our freedom of trade and commerce. America is, and was meant to be, a great maritime nation.

[From the Wall Street Journal, Nov. 26, 1979]

THE WORST IS YET TO COME

(By Irving Kristol)

The 1980s have already begun. They began with the takeover of the American embassy in Tehran earlier this month and with the subsequent confrontation between the United States and a virulently anti-Western Iranian regime. This episode is, as it were, the shocking prologue to an equally tense drama that stands poised to unfold in the decade ahead. It promises to be an absolutely ghastly period.

These past years have been dominated by problems of domestic economic policy—of maintaining economic growth in the face of inflation, stagflation, high rates of taxation, government overregulation of business, etc. Even OPEC has been regarded as primarily a phenomenon within the economists' universe of discourse, and the arguments have centered around the kind of economic policy that would be most appropriately responsive to the new level of energy costs.

On the whole, and from this same economic perspective, we have managed these problems rather badly. The cast of mind shaped in the 1960s—one which perceived

the United States as an "affluent society" whose major challenges were achieving a better "quality of life" and a "fairer" (i.e., more equal) distribution of entitlements to wealth, income, and opportunity—was quite unfit to cope with the bleaker realities of the 1970s, and we were very slow getting on a new learning curve.

THE ROLE OF FOREIGN POLICY

More recently, however, there have been hopeful signs of progressive adaptation to these realities, in increasing recognition of the need for an economic policy to spur economic growth instead of being indifferent or hostile to it. But one senses it no longer matters quite so much. For it seems clear that in the 1980s it will be foreign policy, not domestic economic policy, that will be decisive for economic growth, and for our destiny in general.

If the 1970s were dominated by considerations of domestic economic policy, the 1980s are going to be dominated by considerations of foreign and military policy. The two are not unrelated, of course—and, indeed, in the case of oil they are most intimately related. But a whole new set of priorities will have to be established, as we come to grips with the fact that the American economy does not exist in isolation from world politics.

Take, for instance, the issue of inflation which President Carter now says is the most important economic problem facing the nation, a proposition that is heartily assented to by conservative economists and Republican politicians. They are almost surely wrong. Two years ago they would have been right, but not now. Today it is military rearmament that is the first priority, economic as well as political. And if there are going to have to be massive increases in military spending, then we shall have to put up with more inflation, for a longer time, than any of us would like. Should the rate of inflation in the 1980s stabilize at, say, 8 percent, that would represent a not inconsiderable achievement.

The truly important problems of the American economy in the years to come will result from what economists so chastely call "exogenous shocks"—i.e., things that happen elsewhere in the world, things that will profoundly affect us and to which we shall have to respond. None of these things is likely to be pleasant, for the world order—such as it is, which isn't saying much to begin with—is in the process of going through a whole series of convulsions.

The Middle East is the most obvious source of trouble. Even if the Arab-Israeli conflict were not a constant irritant, the chances for stability in that area seem slight. Intra-Muslim religious tensions are on the rise and anti-Western paranoia is endemic. Egypt under Sadat is indeed a remarkable exception, but one can properly doubt whether Egypt after Sadat will remain so. Iran will surely be hostile to American interests, whatever kind of regime is eventually established there. The days—at best, the years—of Saudi Arabia's anachronistic feudal oligarchy are numbered, to be succeeded by Lord only knows what. Iraq is likely to go to war against Iran, or against Syria, or against itself. Syria could easily go the way of Afghanistan and end up as a Russian puppet. Oil at \$50-\$75 a barrel is not too far down the road, and chaos in that region might well result in no oil being available at any price.

All this would seem to suggest the likelihood of some American military involvement in the Middle East to protect our interests, both economic and strategic. Unfortunately, we shall there encounter another presence: the Soviet Union.

The U.S.S.R. is today our superior in effective military power of a kind that is relevant to a situation such as the Middle

East's—i.e., conventional military power. Even if we were now to undertake a serious and sustained effort to improve our military capabilities in this respect, it would probably take a good part of the decade to accomplish it. Moreover, a new Soviet leadership is on the verge of coming to office, and all the evidence points to its being very self-confident, highly nationalistic, and likely to be more boldly assertive than its predecessors. And, perhaps most important, the Soviets are going to be needing foreign sources of oil by 1981, and the Middle East is not only the logical place for them to turn to, it is the only place. So an era of confrontation with the Soviet Union seems to be in the cards.

And as the post-World War II international order falls apart—not only in the Middle East but probably in Latin America as well—all thinking about American foreign policy derived from that era assumes an air of irrelevance. SALT becomes irrelevant. The United Nations becomes irrelevant. Foreign aid becomes irrelevant. Sermons on human rights become irrelevant. NATO itself may soon become irrelevant, as our European allies decide that, in the face of American weakness, *saute qui peut* is the sensible flag to fly. What will be relevant is an American foreign policy in which power, and the readiness to use it boldly, will play a far more central role than has ever before been the case in our history.

Nor will the United States really have any alternative but to use such power to recreate a world order it can live with—a world in which there is relatively free trade and relatively free access to the world's resources. Though there is much we can, should, and in the end probably will do to set our own economic house in order—including the more abundant use of coal and nuclear power, despite any hazards they might create—it is an inescapable fact that the American economy is a vital organ of a larger world economy. The one cannot survive, and certainly cannot prosper, without the other. The wealth of nations today is indivisible. Our economic growth will henceforth be as dependent on our foreign policy as on our economic policy. And if we fail to establish the conditions for such growth, our democracy will itself unravel, as economic pressures give rise to political polarization, at home and abroad.

There is far too much easy and glib talk these days about the need for Americans to tighten their belts, accept a reduction in their living standards, even resign themselves to an economic philosophy of no-growth. It is dangerous and irresponsible talk. Yes, of course, the American democracy can cope with a temporary cessation of economic growth, as it has done in wartime. But only if it is perceived to be temporary. What few seem to realize is that a prospect of economic growth is crucial precondition for the survival of any modern democracy, the American included.

For over two thousand years, the consensus among political philosophers was that democracy—the rule of the majority—was an inherently unstable and therefore undesirable form of government. The reason they came to this conclusion was not because they were snobs or disliked the common people, or because ordinary people then were inferior to the people of today. It was because they believed, on the basis of experience (in the ancient Greek city-states especially), that in a democracy the majority, being poor, would always use its power to expropriate the wealth of the more affluent minority, and that this would lead (as it always had) to economic chaos, followed by political chaos, followed by the restoration of order by a dictator.

What changed the attitude of political philosophers was the emergence of modern

capitalism, with its promise of economic growth—of an economic system in which everyone could improve his condition without having to do so at someone else's expense. It is because this promise of economic growth has been kept that democratic politics has survived in the United States, in Western Europe, more recently in Japan. And it is only so long as economic growth remains a credible reality that democracy will remain an actuality. It is the expectation of tomorrow's bigger pie, from which everyone will receive a larger slice, that prevents people from fighting to the bitter end over the division of today's pie.

WHAT THE UNITED STATES SHOULD DO

The 1980s will see a disintegrating international order in which economic growth is going to be extraordinarily difficult to achieve, and in which even economic stability will be hard to maintain. It will therefore have to be an overriding goal of American foreign policy to help shape this world so that the growth of the world economy can continue. This will require many sacrifices, but so long as the goal is visibly there, the sacrifices are tolerable. If the goal is not there, our situation will gradually deteriorate until we end up divided among ourselves and destroying our institutions in a frenzy of recriminations.

For the very survival of this nation, our foreign policy is going to have to be oriented quite explicitly toward such a goal. Where will such a foreign policy come from? Who will articulate it? Who will be able to sustain it? Those are the questions that ought to be dominating the 1980 elections. But no one, so far as I can see, is asking them. ●

AIRCRAFT NOISE BURDEN INCREASES

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 1979

● Mr. ANDERSON of California. Mr. Speaker, at an alarming rate the pressure is mounting on our Nation's cities to do something about excessive jet noise from municipal airports. I point to action taken by the California Supreme Court this past Friday as evidence that this problem is nationwide in scope.

As reported by a Los Angeles Times article, by a unanimous and unprecedented decision, the State high court ruled that cities may be sued for the "emotional and mental distress" residents suffer from the jet aircraft noise coming from municipal airports.

The repercussions of this ruling will be felt across the country. More frequent and more serious will be the attacks on city halls through court action.

As this ruling addresses an important matter currently pending before the Congress, for my colleague's benefit I am inserting in the RECORD the Los Angeles Times article of December 15, 1979, entitled "Cities Liable for Jet Noise, High Court Rules."

The article follows:

CITIES LIABLE FOR JET NOISE, HIGH COURT RULES

(By Philip Hager)

SAN FRANCISCO.—Cities may be sued for the "emotional and mental distress" residents suffer from jet aircraft noise from municipal airports, the California Supreme Court ruled unanimously Friday.

The court upheld an unprecedented award of \$86,800 in damages to a group of Westchester residents who had brought suit against the City of Los Angeles, complaining that noise from Los Angeles International Airport had interfered with their ability to sleep, watch television and enjoy sexual relations.

The justices conceded their decision would likely result in more airport noise suits for more money.

But they said they were compelled to reject the city's contentions that the homeowner's claims must be denied. The city had argued that the federal government had preempted the field of noise control and that the law prohibited such suits against lawfully sanctioned aircraft operations.

Both sides in the dispute agreed the decision had far-reaching implications.

"This is important to literally hundreds of thousands of people affected by airport noise," said Jerrold Fadem, one of the attorneys representing the Westchester homeowners. "They are now protected against abuse by noise . . . and they can sue afresh every day for emotional distress."

City Atty. Burt Pines called the ruling a "disappointment" and pledged he would seek review from the U.S. Supreme Court.

"This decision makes a city liable for acts over which it has very little control," he said. "It has national significance. Potentially, it can have an impact on airports throughout the country and the nation's entire transportation system."

Pines noted that the city had taken several steps to try to minimize noise from the airport—among other things, requiring airlines to phase out older, noisier aircraft and limiting flights after 11 p.m.

The court's decision came on an issue that has divided other courts in the country.

The justices, in an opinion written by Justice Frank K. Richardson, noted that there were a number of steps the city could have taken to "deflect and diminish" noise at LAX—the nation's third largest commercial aviation facility.

"The city cannot fairly argue that federal law has rendered (it) powerless to prevent or reduce the damages of which (the homeowners) complain," Richardson wrote.

In deciding the question, the justices were attempting to resolve a conflict between competing interests, Richardson explained.

"On the one hand, by ancient law, the owners and occupants of land are entitled to the peaceful use, possession and enjoyment of their property," he wrote. "On the other, the general public has a strong interest in the transportation and related services furnished by commercial aviation."

The case began in 1968, when owners and occupants of homes near the airport's two north runways sued the city for both property damages and personal injuries allegedly resulting from noise, smoke and vibrations from aircraft using the airport.

The homeowners—most of whom have moved from the area—contended that jet noise made their homes vibrate, broke windows, blew shingles off roofs and covered the neighborhood with "jet soot."

After winning property damage awards, the plaintiffs went to court again on the personal injuries claim. They charged that the noise from the airport constituted a "nuisance," disrupting their lives to the extent they could not hear the radio, speak on the telephone or go outside to use their lawns or patios.

The homeowners won their case in trial court in 1976. Earlier this year a state Court of Appeal upheld the damage award they received for injuries sustained from 1967 to 1975. The city took the case to the state Supreme Court.

City attorneys argued that the noise at issue came from aircraft over which the fed-

eral government retained exclusive control. Secondly, they said, the operation of aircraft was sanctioned legally and under state law the resulting noise emissions could not constitute a "nuisance."

In a 27-page opinion, the court turned down both contentions. While the federal government may preempt state action, in this instance the city was not precluded from acting on its own against noise from the municipally operated airport, it said.

Further, the justices pointed out, the U.S. Supreme Court, while upholding federal authority over "aircraft in flight," had carefully refrained from preventing airport operators from exercising "reasonable, non-discriminatory proprietary control" over land-use planning, runway design and other airport activities.

The city, the justice noted, had decided to build and expand the airport near a residential area and had approved its use by jet aircraft "with the full and prior knowledge of the potential noise impact."

The court went on to observe that just as citizens enjoy certain property rights, in some instances they may also assert personal rights as property owners or occupants. "While it is true that the probable number of claimants will increase and the nature of the claims enlarge, we discern no basis for any reasoned distinction between claims for property damage and personal injury arising from the same activity and cause," Richardson wrote.

Rejecting the city's second contention, the court said its analysis showed the law provided no immunity from a suit charging that airport noise constituted a "nuisance."●

AIRBAGS—ADVANTAGES FOR ELDERLY

HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 1979

● Mr. PEPPER. Mr. Speaker, as people get older, they are somewhat less likely to be involved in a serious automobile crash, but if they do have an accident, they are about twice as likely to be injured. As we get older, our bones become more brittle, our muscle tone is not as good, and we heal more slowly.

One reason that older people often buy large cars, even though they may not need the room of a large car, is that they believe that they will be safer in a large car. Although that is partly true, they, like everybody else, need to be restrained in their car in order to reduce the risk of serious injury in a car crash. Unfortunately, older people use belts even less than young ones, and that is at least in part, because belts are difficult for older people to put on. Young people can twist and reach around to find a hard-to-reach belt to put it on. But we are a little less flexible as we age.

And even if older people wear a belt, in a serious crash, the belt can cause injury while it is protecting them from more serious injuries because it concentrates the forces of the crashes on two thin fabric straps. For older people, this can mean injuries to the ribs, clavicle, or hip. Airbags, on the other hand, distribute the forces over the whole torso, and substantially reduce the like-

lihood of broken bones, with the consequent extended period of convalescence.

Airbags may not be the choice for everybody, but they have many advantages for our elderly who use cars. I think that the Department of Transportation's standard, which will make airbags available to those that want to purchase them for the first time in 5 years, is an important advance for the health and safety of all citizens, but particularly for our senior citizens.●

SAVE THE SEMICONDUCTOR INDUSTRY

HON. NORMAN Y. MINETA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 1979

● Mr. MINETA. Mr. Speaker, I want to join my colleagues in a recent special order on industrial innovation and productivity by discussing an industry which has made a large contribution in recent years, and will continue to contribute in coming years, to improving the Nation's productivity. The industry is the semiconductor industry, makers of the "computer-on-a-chip" or integrated circuit.

Since the semiconductor industry is vital to improving our productivity and sustaining innovation in our economy, I want to alert my colleagues to problems which the industry is concerned about. Problems which Congress should be concerned about, and prepared to act on.

Before discussing the industry's concerns, let me point out exactly how the semiconductor industry contributes to our economy. The most visible impact of the industry in recent years has been in consumer goods. Stores cannot stock enough electronic toys; wrist watches can also be calculators and stop watches in one; and calculators cost but a fraction of what they cost just 5 years ago.

The gains in productivity in the workplace due to integrated circuits represent a less visible but vitally important function of the seminal semiconductor industry. Examples abound. Scientists now use microscopes which do more in less time; modern medicine has only begun to use the integrated circuit in medical instruments and devices; integrated circuits in computers are the basis for a whole new generation of cheaper and more powerful computers such as the new IBM mainframe computers; and factory controls are undergoing a revolution of sorts in terms of flexibility and reliability. All of these applications of the low-cost integrated circuit will make workers more efficient and more productive. And, the semiconductor industry is one of the few growth manufacturing industries in our otherwise maturing economy.

Yet, the industry is faced with a serious problem. Foreign manufacturers, particularly the Japanese, have made ominous advances in the United States and world integrated circuit markets.

U.S. firms are fiercely independent and competitive while foreign competitors are diversified giants. Japanese firms are strongly tied to big business, the banks, and the government in Japan. Our market is open to all who want to sell in the United States. Japan's market is protected through restrictive trade practices. These and other factors threaten the health of our domestic semiconductor industry in the future.

I urge my colleagues to take note of these problems as early alarms of serious problems in this vital industry. Problems which caused the decline and loss of domestic production of CB radios, televisions, and steel.

The International Trade Commission recently completed a 1-year examination of the world market for integrated circuits, and has issued a report entitled, "Competitive Factors Influencing World Trade in Integrated Circuits." Further, the Ways and Means Subcommittee on Trade recently held hearings on this problem in San Jose, Calif., the heart of the U.S. semiconductor industry. The Senate has scheduled hearings on the ITC report in January 1980. I urge my colleagues to pay attention to the findings of the activities for the domestic semiconductor industry is vital to the improvement of our very serious innovation and productivity problems.

Finally, I want to thank the gentleman from Oregon (Mr. AuCoin) for his fine work and deep interest in the problems of U.S. industrial innovation and productivity.●

CONGRESSMAN WILLIAM CARNEY REPORTS TO HIS CONSTITUENTS ON THE FIRST SESSION OF THE 96TH CONGRESS

HON. WILLIAM CARNEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 1979

● Mr. CARNEY. Mr. Speaker, it is an established custom for the Representatives from the First Congressional District of New York to submit an annual "Report to the People" on the activities of their Representative in Congress. As the 1st session of the 96th Congress comes to a close, I would like to take this opportunity to make such a report.

The voting summary printed below represents my position on some of the more important of over 600 recorded votes taken by the House since January, 1979. Very few easy issues are presented to the Congress of the United States. I have always tried to keep the interests of the citizens of the First Congressional District of New York foremost in mind as the Congress considers legislation which will affect all Americans. I have strongly opposed laws and Federal regulations that adversely affected Long Islanders. For example, the Department of Energy's gas allocation program unquestionably harmed the tourist industry in Suffolk County during the summer of 1979, in addition to causing inconven-

ience and hardship to motorists throughout Long Island. Regulations promulgated by regional fisheries councils have unfairly discriminated against Long Island fisherman. Federal programs that add to the Government bureaucracy without any benefit to the people add an unnecessary burden to the tax load shouldered by Long Islanders, as well as all other Americans.

The Constitution gives the "power of the purse" to Congress. Unless the Congress both authorizes programs and then appropriates the money to pay for them, Federal funds may not be spent. Before casting my vote on such legislation, several questions came to mind. First, how much did the proposed legislation cost? Second, what benefits were to be derived from the program? And finally, were the benefits worth the costs, and were those costs as low as possible?

A good example of this process occurred in April of this year. By an 11 vote margin, the House passed an amendment to the State Department Authorizations Act, requiring a 10 percent across-the-board cut in the various programs authorized by that legislation. After intense lobbying, that same amendment was reconsidered and rejected by a four vote margin. When the entire bill was finally voted on, it passed by a vote of 256 to 146. I voted "No": not because the State Department did not deserve any money for its operations, but because it was clear that there was simply too much "fat" in that account.

Similarly, when the House considered legislation to appropriate funds for its own operation and for the entire legislative branch, I supported amendments to cut back on the proposed expenditures. The Congress, along with the executive branch, must learn to tighten its own belt and live within a reasonable spending limit.

I have, for instance, consistently opposed foreign aid measures which grant broad and unrestricted discretionary spending powers to the executive branch. Congress is the guardian of the public treasury, and it must act in a responsible fashion in determining how public moneys are spent.

When a clearcut need exists for assistance abroad, Congress responds with traditional American generosity, as do our citizens. Such an example is provided by our aid for the tragic displacement and starvation of the Cambodian people. Even programs which spend worthy funds such as these must not be created to allow unrestricted powers by the bureaucracy of the executive branch, which is not elected by—and is thus not directly accountable to—the people.

Energy and inflation were the two most important issues considered by the House of Representatives during 1979. In at least one respect, the issues are interconnected. Our inflation rate will never drop by any large percentage while we continue to spend \$50 billion a year for foreign oil. That money goes overseas, and into foreign treasuries, rather than being recirculated in the American economy to provide support

for our own monetary system. If our economy is to improve, and if our goal is to maintain an independent foreign policy, unrestricted by energy considerations, then we must develop our own domestic energy resources.

As a member of the Science and Technology Committee, it has been my privilege to help shape the programs necessary for the continued development of our Nation's energy viability.

The Subcommittee on Energy Development and Applications completed lengthy and complex hearings which resulted in the authorization of funding for the Department of Energy's fossil, solar, and conservation research and development programs for fiscal year 1980. The Wind Energy Systems Research Development and Demonstration Act of 1979, also resulted from the subcommittee's hearings. This legislation provides for a comprehensive approach to develop commercially viable wind energy systems. It is possible that by the 21st century such systems will provide portions of the United States with a clean, inexpensive, and reliable source of energy. Wind experimentation on Block Island in Long Island Sound, for instance, and at other Long Island locations, is in the forefront of these efforts.

The Subcommittee on Investigations and Oversight has held hearings on a wide variety of scientific matters. Transfer of technology and energy related issues with Mexico and China were the topic of hearings that will help improve our foreign trade structure with those countries. Accidents involving the DC-10 airplane prompted hearings on the design of all wide-body aircraft, the subcommittee also has investigated the role that small business firms play in technological innovation and productivity, and in contributing to our national economy. The subcommittee has tentatively scheduled hearings to be held on Long Island on January 1980, to investigate the allocation of Federal research funds to small technology firms, and to analyze Federal policies pertaining to innovation.

The Committee on Merchant Marine and Fisheries is of critical importance to Suffolk County. Because of our geographic location, the Atlantic Ocean and Long Island Sound provide all Long Islanders with commercial, recreational and esthetic opportunities and benefits.

The Subcommittee on Oceanography authored the Ocean Dumping Act, which will provide standards for the issuance of permits for ocean dumping. The legislation will authorize studies of the long-term effects of marine pollution, and provide a mechanism for designating certain areas as marine sanctuaries.

The subcommittee also developed deep seabed mining legislation. This bill specifies the procedure for the issuance of permits for the commercial recovery of minerals from the seabed in areas beyond the national jurisdiction of the United States.

In 1980, the subcommittee will continue its oversight of the coastal zone management program, and will consider a proposal to authorize utilization of the ocean to provide an additional source of

energy. Ocean thermal energy conversion (OTEC) would take advantage of the natural temperature differential of the ocean to generate electricity.

The Subcommittee on Fisheries, Wildlife Conservation, and the Environment held extensive oversight hearings on the Fisheries Conservation and Management Act of 1976. We reviewed the role of the regional fishery councils, and tried to clarify the manner in which their activities were to be conducted. The committee investigated, very specifically, the requirement that fishermen keep logbooks to provide data to the Federal Government. While logbooks may provide an effective means of collecting information to be used in fisheries management, these books should not be used for enforcement data collection. Virtually every fisheries council reported that it had deep concerns regarding the logbook requirement. The subcommittee also began hearings on fisheries development and the possibilities of increasing the American fishing industry's catch of underutilized species. In addition, the subcommittee continued hearings on the Endangered Species Act, to determine the need for possible refinement of that legislation in 1980.

The Panama Canal Subcommittee had one basic task during the 96th Congress—to construct legislation necessary to implement the Panama Canal Treaties of 1977. The original proposal submitted by the administration would have imposed approximately \$4 billion in treaty related costs on the taxpayer. Although the committee cut those costs by 75 percent, I voted against the implementing legislation because the potential benefits to be derived by America were not worth the costs now imposed on the American taxpayer and consumer.

I have tried to represent your interests to the best of my ability. The Congressional Office of New York's First District exists to serve you. I welcome your advice, accept your criticism, and look forward to working together with you in the second session of the 96th Congress.

SELECTED LEGISLATION SPONSORED AND COSPONSORED BY CONGRESSMAN WILLIAM CARNEY

H.R. 5525: Federal Property and Administrative Services Act Amendments—to provide for economical and efficient procedures for federal purchasing and end waste in government's buying power.

H. Res. 106: A resolution to urge the government of the Federal Republic of Germany to abolish the statute of limitations governing prosecution of Nazi war crimes.

H.R. 13: A bill to repeal the 'carryover basis' provisions, which will restore the prior law which based tax consequences on appreciation of property in relation to its market value at the time of death, thus relieving inheritors of the burden of justifying and recording each property value of the related estate.

H.R. 85: Comprehensive Oil Pollution Liability and Compensation Act.

H.R. 365: Tax Indexing—To prevent inflation from creating a higher individual tax burden by adjusting individual income tax rates.

H.R. 1600: The Small Business Tax Relief Act of 1979.

H.R. 1776: The Administrative Rule-Making Reform Act—to provide for Congress-

sional veto of bureaucratic regulatory decisions.

H.R. 1850: A bill to require the Federal Communications Commission to ensure that communities, regardless of size, are provided with maximum local fulltime radio broadcasting service.

H.R. 2493: A bill to exclude from gross income the interest earned on U.S. Savings Bonds received by citizens who have reached the age of 65.

H.R. 2519: Marine Protection, Research and Sanctuaries Amendments to research means of ending the dumping into ocean waters of material harmful to the environment, and promote the coordination of public and private research into related areas.

H.R. 2520: National Ocean Pollution and Development and Monitoring Planning Act Amendments.

H.R. 3558: Wind Energy Systems Research, Development, and Demonstration Act of 1979.

H.R. 4310: Recreational Boating Fund Act

of 1979—to establish recreational boating safety and facilities improvement programs.

H.R. 4646: The Capital Cost Recovery Act of 1979—to amend the Tax Code to encourage growth, modernization, and productivity through increased capital investment and expanded employment opportunities.

H.R. 4986: The Depository Institutions Deregulation Act of 1979—to simplify financial regulations, allow credit union share draft programs and NOW accounts.

H.R. 5071: The Small Savers Act of 1979—to provide for a phase out of the federally imposed ceiling on interest rates on pass-book savings accounts.

H.R. 5169: The Department of Energy Reorganization Act of 1979—to ensure that solar energy, renewable resources and energy conservation receive the highest national priority.

H.R. 5243: The National Fishery Development Act—to provide for a national program of fisheries research and development.

H.R. 5786: A bill to provide tax relief for residential users of home heating oil and refined petroleum products.

H.R. 6012: A bill to forbid taxation of social security benefits.

H.J. Res. 2: Balanced Budget Amendment—to amend the Constitution to provide a balanced budget except in times of declared war or national emergency.

H.J. Res. 395: Federal Spending Limitation Amendment—to protect American taxpayers against excessive government fiscal and monetary policies by limiting total fiscal outlays.

H. Con. Res. 15: A concurrent resolution to create a Congressional Senior Citizens Intern Program.

H. Con. Res. 201: A resolution to publicly condemn Vietnam, and to request the United Nations to consider imposing sanctions against Vietnam for violating the fundamental human rights of the people of Vietnam, Cambodia, and Laos.

Date	Legislative issue	Carney vote	Date	Legislative issue	Carney vote
1979			1979		
Mar. 15	Increase the public debt limit through Sept. 30, 1979 up to \$830 billion. (Approved, 212-195.)	No	May 30	Adopt conference report to establish new programs, readjust assistance, and require Congressional approval prior to major new construction or leasing appropriations for the Veterans Administration. (Approved unanimously, 342-0.)	Yes
Mar. 21	Establish a Select Committee on Narcotics Abuse and Control. (Approved, 383-75.)	Yes	May 30	Authorize \$4.8 billion in special assistance to aid Egypt and Israel in implementing the Middle East Peace Treaty. (Approved, 347-28.)	Yes
Mar. 22	Authorize \$19.3 million for the operations of the Arms Control and Disarmament Agency in fiscal 1980. (Approved 296-100.)	No	May 31	Amendment to prohibit development of the M-X missile and basing system. (Rejected, 29-311.)	No
Mar. 28	Authorize \$185 million for NASA's Space Shuttle Program. (Approved 354-39.)	Yes	June 5	Establish within the Veterans Administration, centers of geriatric research, education and clinical operations. (Approved unanimously, 406-0.)	Yes
Mar. 28	Authorize \$4.8 billion for National Aeronautics and Space Administration in fiscal 1980. (Approved, 323-57.)	Yes	June 6	Provide incentives to encourage disabled recipients of Supplemental Security Income (SSI) benefits to return to work. (Approved, 374-3.)	Yes
Mar. 29	Delete \$2.5 million in foreign military aid to stop financing of arms sales to Panama. (Approved, 272-117.)	Yes	June 7	Amendment to reduce paperwork by consolidating and simplifying forms used in Federal housing programs. (Approved, 366-16.)	Yes
Apr. 2	Increase public debt limit to \$830 billion through Sept. 30, 1979. (Approved, 209-165.)	No	June 7	Exclude Social Security cost-of-living increases when calculating income to determine rent in assisted housing. (Approved, 311-79.)	Yes
Apr. 4	Amendment to prohibit appropriated foreign development aid to OPEC nations. (Rejected, 175-222.)	Yes	June 8	Authorize \$14 million for U.S. Civil Rights Commission for fiscal 1980. (Approved, 276-14.)	Yes
Apr. 24	Allow export of lottery materials and tickets by U.S. manufacturers to countries where lotteries are permitted. (Approved, 269-121.)	Yes	June 11	Establish as one of purposes of proposed Department of Education, to permit daily opportunities for voluntary prayer and meditation in public schools. (Approved, 255-122.)	Yes
Apr. 24	Amendment to require a 10-percent across-the-board cut in State Department authorizations bill. (Approved, 207-196.)	Yes	June 11	Limit future budget authority of proposed Department of Education to the existing funding programs transferred into it, with allowances for cost increases. (Rejected, 184-187.)	Yes
Apr. 24	Second vote on previously adopted amendment for 10-percent across-the-board cut in State Department authorizations. (Rejected, 199-203.)	Yes	June 11	Prohibit authorization for proposed Department of Education to require forced busing to achieve racial balance as condition for Federal assistance. (Approved, 227-135.)	Yes
Apr. 24	Authorize \$4.4 billion for State Department and related agencies through fiscal 1981. (Approved, 256-146.)	No	June 12	Add to purpose of proposed Department of Education, the goal of insuring that no one be denied access to education opportunities because of racial or sexual ratios or quotas. (Approved, 277-126.)	Yes
Apr. 25	Adopt conference report to reauthorize Council on Wage and Price Stability through Sept. 30, 1980 and to increase authorization to \$8.5 million. (Approved, 240-168.)	No	June 13	Lower to 5.5 percent, fiscal 1980 salary increases for Federal or District of Columbia employees whose salary is over \$47,500. (Approved, 396-15.)	Yes
Apr. 25	Authorize \$85.2 million for conservation, exploration, development and use of Naval petroleum and oil shale reserves. (Approved, 394-12.)	Yes	June 13	Reduce fiscal 1980 appropriations for House Member's official expenses by \$2 million. (Rejected, 204-213.)	Yes
May 2	Increase budget authority and outlays by \$25 million and \$20 million for disaster loans, and similarly increase by \$200 million for targeted fiscal (Approved, 224-197.)	Yes	June 13	Appropriation of \$952,878,400 for legislative branch in fiscal 1980. (Rejected, 186-232.)	No
May 3	Reduce budget authority and outlays by \$1.1 billion, representing cuts in Government travel, paperwork, and overtime. (Approved, 403-3.)	Yes	June 13	Provide rule for House consideration of authorizations of \$10.7 billion for energy and water development programs (Approved, 386-34.)	Yes
May 3	Amendment to balance the federal budget with revenues and outlays of \$515 billion. (Rejected, 186-214.)	Yes	June 15	Special resolution of inquiry to direct the President to provide House with information on crude oil and refined petroleum supplies. (Approved, 340-4.)	Yes
May 7	Authorize the Treasury, for 5 years, to borrow securities from Federal Reserve Banks and sell them on the open market, and to obtain cash by selling securities to Federal Reserve only in unusual circumstances. (Rejected, 175-195.)	No	June 18	Resolution expressing sense of the House that the President should urge the United Nations to take measures to aid refugees fleeing from Indochina. (Approved, unanimously, 336-0.)	Yes
May 7	Cut categorical grant programs by \$2.5 billion, and include \$2.3 billion for general revenue sharing for the States. (Rejected, 147-237.)	Yes	June 18	Appropriate \$5 million to Nuclear Regulatory Commission (NRC) for onsite inspectors at nuclear powerplants. (Approved, 350-10.)	Yes
May 7	Restore \$2.3 billion in budget authority and outlays for general revenue sharing to State governments. (Rejected, 190-195.)	Yes	June 21	Amendment to charge to Panama the \$75 million military costs incurred as a result of implementing the treaty. (Rejected, 210-213.)	Yes
May 8	Increase budget authority by \$83 million and outlays by \$73 million for AMTRAK funding. (Rejected, 196-227.)	No	June 21	Implement the Panama Canal Treaties by creating a Panama Canal Commission, requiring Congressional approval of all spending by Commission. (Approved, 224-202.)	No
May 8	Reduce budget authority by \$495 million and outlays by \$95 million by 4 year phase out of Law Enforcement Assistance Administration (LEAA). (Rejected, 104-316.)	Yes	June 22	Provide \$4 million for groundwater contamination research and \$6 million for research into methods of controlling hazardous substances to Environmental Protection Agency. (Rejected, 129-237.)	Yes
May 8	Transfer \$2.3 billion to general revenue sharing for the States from foreign assistance programs. (Rejected, 199-214.)	Yes	June 22	Provide EPA with \$10 million for research into and \$10 million for emergency measures to control hazardous wastes (Rejected, 136-219.)	Yes
May 9	Resolution urging Federal Republic of Germany to abolish, or extend beyond Dec. 31, 1979, the Statute of Limitations on the Prosecution of Nazi War Crimes, so that prosecution of these criminals may continue. (Approved unanimously, 401-0.)	Yes	June 26	Allow elderly to exclude certain expenses for medical and shelter purposes in computing food stamp benefits. (Approved, 405-8.)	Yes
May 9	Restore approximately one-half of the budget authority and outlays for general revenue sharing for State governments. (Rejected, 203-216.)	Yes	June 26	Encourage synthetic fuels production, at oil equivalent of 2 million barrels per day by 1990, through contracts, loans, and loan guarantees. (Approved, 368-25.)	Yes
May 9	Amendment to reduce 1980 budget deficit by \$65 billion to \$18.7 billion. (Rejected, 198-218.)	Yes	June 27	Amendment to allow exceptions in the prohibition on use of funds to pay for abortions. (Rejected, 180-241.)	No
May 10	Amendment to reduce 1980 budget revenues by \$7.8 million and reduce 1979 budget authority and outlays by \$1.4 billion. (Rejected, 182-229.)	Yes	June 27	Amendment to prohibit Occupational Safety and Health Administration (OSHA) inspectors from visiting a work-site within 6 months of inspection by State Safety and Health Agency, with exceptions for substantial cases. (Approved, 236-176.)	Yes
May 10	Resolutions for gasoline rationing plan requiring use of ration coupons in an emergency. (Rejected, 159-246.)	No	June 28	Providing for a 60-percent rate for a "windfall profits tax," with discontinuation of the tax at the end of 1990. (Approved, 236-183.)	Yes
May 14	Allow waivers of disclosure requirements for part-time Federal employees and consultants, and technical modifications in the 1978 Ethics in Government Act. (Approved, 338-49.)	Yes	July 11	Resolution to disapprove reorganization of most foreign aid programs with creation of new agency, the International Development Cooperation Agency. (Rejected, 156-256.)	Yes
May 14	Authorize \$550,000 in fiscal 1980 for the National Advisory Committee on Oceans and Atmosphere which provides independent advice on marine and atmosphere programs. (Approved, 340-36.)	Yes	July 12	Reduce appropriations for the State Department by 5 percent. (Approved, 210-199.)	Yes
May 22	Amendment to lower interest rates on homeowner disaster loans to 1 percent on first \$10,000 borrowed and 3 percent on amounts between \$10,000 and \$55,000. (Rejected, 174-232.)	Yes	July 12	Appropriate \$7,562,450,550 in fiscal 1980 for the operations of the Departments of State, Justice, and Commerce, and related agencies. (Approved, 299-93.)	No
May 22	Authorize \$5.3 billion for Small Business Administration programs for fiscal 1980-82. (Approved, 398-5.)	Yes			
May 23	Remove authorization ceiling for funding the District of Columbia share of construction costs for area subway system. (Approved, 357-49.)	No			

Date	Legislative issue	Carney vote	Date	Legislative issue	Carney vote
1979			1979		
July 13	Prohibit use of Treasury appropriations to collect any tax imposed by Internal Revenue Service unless IRS employees' conduct complied with Fair Debt Collection Practices Act. (Approved, 299-69.)	Yes	Sept. 20	(Same as previous vote on Sept. 19, 1979) (Rejected, 196-212.)	No
July 13	Prohibit use of appropriated funds to effectuate rules or policies which would cause the loss of tax-exempt status of any private or religious school unless rule was in effect prior to Aug. 22, 1978. (Approved 297-63.)	Yes	Sept. 20	Increase public debt limit through July 31, 1980 to \$885 billion. (Rejected, 200-215.)	No
July 16	Provide for cost-of-living increase in compensation rates for disabled veterans and their survivors. (Approved unanimously, 350-0.)	Yes	Sept. 20	Adopt conference report to implement the Panama Canal Treaties by establishing Commission and providing for operation and maintenance through 1999. (Rejected, 192-205.)	No
July 16	Require that unused portion of Presidential expense account of \$50,000 shall revert to the Treasury, and prohibit use for any other purpose. (Approved, 294-90.)	Yes	Sept. 21	Provide for House floor consideration of bill to authorize \$231 million for grants for emergency medical services and related activities for fiscal 1980-82. (Approved, 345-1.)	Yes
July 17	Insist, in conference with Senate, on amendment to make a purpose of the proposed Department of Education the goal of ensuring that no one is denied access to education on account of racial or sexual quotas. (Approved, 214-202.)	Yes	Sept. 25	Raise by 5.5 percent salaries of Members of Congress, Federal judges, and other top-level Federal employees, and provide continuing appropriations for existing Federal programs for the first quarter of fiscal 1980. (Approved, 208-203.)	No
July 18	Reduce by \$144.9 million, the appropriations to the International Board for Reconstruction and Development (of the World Bank.) (Approved, 219-196.)	Yes	Sept. 26	Adopt conference report on bill to implement Panama Canal Treaties thus clearing the bill for the President's signature. (Approved, 232-188.)	No
July 18	Cut an additional \$1,000,000 from appropriations to the International Development Association (IDA), an arm of the World Bank. (Approved, 242-177.)	Yes	Sept. 26	Increase the public debt limit through May 31, 1980 to \$879 billion. (Approved, 219-198.)	No
July 18	Prohibit use of funds by IDA for assistance on reparations to Vietnam. (Approved, 291-122.)	Yes	Sept. 27	Create a new Cabinet-level Department of Education. (Approved, 215-201.)	No
July 20	Reduce reserve requirements for members of Federal Reserve System and establish system of mandatory universal reserve requirements for dropping checking account deposits. (Approved, 340-20.)	Yes	Sept. 28	Appropriate \$129.9 billion for programs of the Department of Defense in fiscal 1980. (Approved, 305-49.)	Yes
July 24	Prohibit compelling students to attend a school, other than the one nearest their home, to achieve racial desegregation. (A proposed Constitutional Amendment). (Rejected, 209-216.)	Yes	Sept. 28	Expand authority of Federal magistrates to handle jury and nonjury civil trials and criminal misdemeanors if the parties consent. (Approved, 273-38.)	Yes
July 24	Extend moratorium on the Food and Drug Administration ban on saccharine through June 30, 1981, and require warnings on product labels. (Approved, 394-22.)	Yes	Oct. 9	Require tire manufacturers in certain circumstances to provide public notice of tire defects. (Approved, 380-9.)	Yes
July 25	Authorize \$1.1 billion for fiscal 1980, \$40.5 million for fiscal 1981, and \$958.5 million for fiscal 1982 for retaining AMTRAK passenger trains. (Approved, 397-18.)	Yes	Oct. 11	Prohibit use of appropriated funds for expenditures relating to lifting price regulations on certain types of domestic crude oil. (Rejected, 135-257.)	No
July 25	Require President to submit a standby gasoline rationing plan to Congress within 180 days of enactment, and then giving Congress 60 days to approve plan. (Rejected, 185-234.)	Yes	Oct. 12	Prohibit the use of Energy Department funds to allocate, or regulate the price of, gasoline. (Approved, 191-188.)	Yes
July 25	Amendment to give either House or Senate 30 days to veto any standby rationing plan submitted by the President. (Approved, 232-187.)	Yes	Oct. 12	Authorize the President to reimpose gasoline allocation system and price regulations in an emergency. (Rejected, 182-191.)	No
July 25	Delete exemptions through Jan. 1, 1982 for employers from paying Federal unemployment insurance tax for certain temporary alien farm workers. (Rejected, 85-325.)	No	Oct. 16	Revise the vocational rehabilitation program for disabled veterans and also revise the administration of GI bill educational benefits. (Approved, 386-24.)	Yes
July 27	Prohibit use of construction differential subsidies for vessels manned by crews that number greater than 50 percent of minimum, determined necessary for safe operation by Coast Guard. (Approved, 196-183.)	Yes	Oct. 16	Authorize \$1.95 billion in fiscal 1980 for Justice Department and related agency programs. (Approved, 386-24.)	Yes
July 27	Authorize \$103 million for construction and other aid for nurse training schools. (Approved, 344-6.)	Yes	Oct. 16	Authorize \$221.5 million for alcohol abuse programs and \$206 million for drug abuse programs in fiscal 1980. (Approved, 396-8.)	Yes
July 30	Insist on House provisions in conference with Senate regarding legislation to implement the Panama Canal Treaties. (Approved, 308-98.)	Yes	Oct. 18	Require the Energy Department, in its selection of nuclear waste disposal sites, give top priority to sites in States where existing disposal sites or nuclear test sites were located. (Approved 208-197.)	Yes
July 31	Censure of Representative Charles Diggs (D. Michigan), and order Diggs to repay the Treasury \$40,031.60 and require certification of proper payment of employees to House Committee on Standards of Official Conduct. (Approved unanimously, 414-0.)	Yes	Oct. 18	Require that 12 percent of research and development contracts of the Energy Department go to small businesses, unless the Secretary determined meeting the goal to be impractical. (Approved, 220-168.)	Yes
July 31	Delete requirement that a 20-percent shortage of petroleum exist before gasoline rationing may be imposed. (Rejected, 63-356.)	No	Oct. 19	Authorize closed sessions of the House-Senate conference in regard to classified information concerning the strategic materials stockpile. (Approved unanimously, 358-0.)	Yes
Aug. 1	Prohibit a Federal conservation plan from restricting the operating hours of a business. (Rejected, 190-224.)	Yes	Oct. 19	Provide for floor consideration of bill to authorize fiscal 1980-82 funds to implement provisions of Endangered Species Act. (Approved, 320-9.)	Yes
Aug. 1	Prohibit a Federal conservation plan from regulating the operation of any energy production, exploration, processing or transportation facility unless the facility were first given a chance to save energy through other measures. (Rejected, 203-209.)	Yes	Oct. 31	Grant consent of Congress, as provided by the Constitution, of the New York-New Jersey Port Authority Pact. (Approved unanimously, 412-0.)	Yes
Aug. 1	Exempt health care facilities from Federal conservation measures. (Approved, 244-170.)	Yes	Oct. 23	Grant States primary responsibility for energy conservation and provide reduced Congressional role in approval of a standby gasoline rationing plan. (Approved, 301-112.)	Yes
Aug. 1	Require President to set aside middle distillate oil in order to provide supplies for agricultural production (upon finding of supply shortage). (Approved, 229-191.)	Yes	Oct. 24	Prohibit the use of appropriated funds to allocate, or regulate the price of gasoline. (Rejected, 189-225.)	Yes
Aug. 1	Require President to set aside heating oil to provide supplies to homeowners (upon finding of supply shortage). (Approved, 233-187.)	Yes	Oct. 24	Authorize guaranteed farm loans at negotiated interest rates under certain conditions, including requiring evidence that an applicant had been unable to obtain private credit elsewhere. (Approved, 326-84.)	Yes
Aug. 2	Increase spending ceiling for the Food Stamp Program for fiscal 1979, and provide elderly and disabled recipients increased deductions for medical and shelter costs. (Approved, 336-72.)	Yes	Oct. 24	Establish specific annual lending levels for the Farmers Home Administration and Rural Development loan programs in 1980-82. (Approved, 393-14.)	Yes
Aug. 2	Authorize \$1.98 billion in fiscal 1980 for foreign economic aid programs and the Peace Corps. (Approved, 223-181.)	No	Oct. 25	Provide for House floor consideration of supplemental funds of \$1.35 billion in low-income emergency fuel assistance. (Approved, 355-47.)	Yes
Aug. 2	Amend Social Security Act to raise to \$3.1 billion the permanent ceiling on Federal matching expenditures for State Social Service and child welfare programs. (Approved, 401-2.)	Yes	Oct. 25	Amendment to allow payments of emergency fuel assistance to renters whose heat is supplied by electricity. (Approved, 381-17.)	Yes
Sept. 5	Reduce appropriations for the United Nations Development Program to fiscal 1979 level of \$126,050,000. (Approved, 234-119.)	Yes	Oct. 25	Amendment to distribute the entire \$1.35 billion of emergency fuel assistance in the form of block grants to States, allowing them to set up own fuel assistance programs. (Rejected, 183-207.)	Yes
Sept. 5	Prohibit use of foreign assistance appropriations for indirect aid as well as direct aid to Angola, the Central African Empire, Cambodia, Laos, and Vietnam. (Approved, 281-117.)	Yes	Oct. 25	Appropriate \$1.35 billion for fiscal 1980 for emergency low-income fuel assistance. (Approved, 290-105.)	Yes
Sept. 6	Amend substitute foreign aid bill to provide that appropriations for Israel, Egypt, disaster relief, refugee assistance and nutrition programs be exempt from reduction. (Approved, 395-12.)	Yes	Oct. 25	Authorize \$207.3 million in fiscal 1980 and \$203.6 million in fiscal 1981 for assistance to refugees, and \$30 million for emergency starvation relief aid to Cambodia. (Approved, 301-69.)	Yes
Sept. 6	Provide incentive assistance for disabled workers who attempt to return to work and place cap on future benefits to disabled workers. (Approved, 235-162.)	Yes	Oct. 26	Authorize an active duty military force of 2,051,700 and \$41.4 billion for Defense Department procurement programs. (Approved, 300-26.)	Yes
Sept. 11	Authorize all depository institutions to provide interest-bearing checking on share-draft accounts (including N.O.W. accounts). (Approved, 367-39.)	Yes	Nov. 1	Establish an Energy Mobilization Board to expedite construction of priority energy projects. (Approved, 299-107.)	Yes
Sept. 18	Strengthen Federal safety regulation of pipeline transportation and storage of liquefied natural gas, liquefied petroleum gas and natural gas. (Approved, 357-20.)	Yes	Nov. 7	Allow States to ask the Agriculture Department to provide cash, in lieu of food stamps, to households containing only persons 65 or older who were not eligible for Supplemental Security Income payments. (Approved, 406-2.)	Yes
Sept. 18	Add \$6 million of Department of Transportation appropriations for bicycle projects. (Rejected, 111-296.)	No	Nov. 7	Establish a national minimum welfare benefit, require States to provide coverage to unemployed two-parent families with children, and make certain administrative changes. (Approved, 222-184.)	No
Sept. 18	Prohibit use of fiscal 1980 transportation funds to enforce regulations requiring air bags in passenger motor vehicles. (Approved, 228-185.)	Yes	Nov. 8	Extend milk price supports of at least 80% parity through September, 1981. (Approved, 310-64.)	No
Sept. 18	Appropriate \$9.8 billion for the Transportation Department for fiscal 1980, including funds for AMTRAK passenger trains and other mass transit. (Approved, 335-71.)	Yes	Nov. 9	Agree to Senate amendment to specify a formula weighted toward colder States to be used in distributing \$1.35 billion in emergency fuel assistance. (Approved, 192-103.)	Yes
Sept. 19	Raise by 7 percent the salaries of Members of Congress, Federal judges, and other top-level Federal employees, and provide continuing appropriations for existing Federal programs through Dec. 31, 1979. (Rejected, 191-219.)	No	Nov. 14	Delete sections of Public Works and Economic Development Bill relating to the regional development planning process, federal coordination of regional programs, and technical assistance to regional commissions. (Rejected, 137-262.)	No
			Nov. 14	Authorize regional development commissions, extend public works and development funding to economically depressed areas through fiscal 1981, and establish a standby local program to be activated in periods of high unemployment. (Approved, 301-99.)	Yes
			Nov. 15	Establish a national study commission on hospital costs, and authorize \$10 million in fiscal 1980 for State programs of hospital cost control. (Approved, 321-75.)	Yes
			Dec. 4	Authorize \$100 million for research, development and demonstration of wind energy systems. (Approved, 383-23.)	Yes
			Dec. 4	Develop a national policy to promote research and development programs to provide adequate and stable supply of strategic and industrial minerals. (Approved, 398-8.)	Yes

THE RHODESIAN SETTLEMENT: NO CHEERS FOR JIMMY

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 1979

● Mr. ASHBROOK. Mr. Speaker, Mrs. Thatcher is now in America, and it is time to look at her record on foreign policy. The centerpiece to her first year as British Prime Minister is the settlement in Rhodesia. This gamble by her government has so far paid off with the moderate forces within the existing Muzorewa government being listened to more than the terrorists in the bush. The arrival of Lord Soames as Colonial Governor for the transition phase of the settlement received a unanimous vote of confidence from the Rhodesian Parliament as it voted 90 to 0 to dissolve in favor of the transition government. These developments in Rhodesia are a reassuring example that hardnosed diplomacy can and does work in the face of terrorist aggression.

The months of negotiation by Lord Carrington with the various factions of Rhodesia brought about a tentatively successful resolution of the growing conflict in southern Africa. If the settlement holds up it will stem the tide of disarray that has been fostered by Cuba and the Soviets. An independent and peaceful Rhodesia will serve to break the rhetorical backs of those who find only violence to be the answer in achieving solutions in Africa. England and its Conservative Government should be commended for its resolve to stay with this issue to the end and its perseverance in assuring the radical elements did not prevail.

The so far shining record of the Thatcher administration's handling of Rhodesia contrasts with the shabby and bungled efforts by the Carter administration. Throughout the Rhodesia talks Mr. Carter refused to offer any hope to the Muzorewa government in Salisbury. The U.S. sanctions on Rhodesia were kept up in spite of congressional pressure to lift the bans and the fact that the British lifted trade restrictions in early November as a good-faith effort. Only this last week did Jimmy Carter finally lift the sanctions on Rhodesia.

Mr. Carter was lucky this time. Had Rhodesia gone under because of lack of goods or had their military folded because of lack of allies Jimmy would have had one more anti-American nation to contend with. Thankfully the British saw fit to step into the situation and bolster the voices of moderation while seeking a

peaceful settlement. At least in London there is no need to listen to such voices of disarray as Andy Young and Donald McHenry, who are still opposed to the sanctions being lifted.

The contrasts between the British and American moves in Rhodesia show the overall weakness in Mr. Carter's foreign policy. He has become so accustomed to capitulating at the drop of a hat he cannot understand the concept of peaceful settlements where the pro-West forces actually survive. This is a lesson that should not be lost on the American public. As we enter the 1980's this Nation must decide early what path it plans to follow in the coming decade. We can continue with the Carterite policy of appeasement that would have lost Rhodesia like it lost Nicaragua and Iran, or we can follow the lead of our mother nation and begin to once again stand up for principle and forcefully employ morality to assure a peaceful world.●

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of all meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an interim procedure until the computerization of this information becomes operational, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Any changes in committee scheduling will be indicated by placement of an asterisk to the left of the name of the unit conducting such meetings.

Meetings scheduled for Thursday, December 20, 1979, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED DECEMBER 21

10:00 a.m.
Banking, Housing, and Urban Affairs
To continue oversight hearings on the enforcement of fair mortgage lending laws and regulations.
5302 Dirksen Building

Joint Economic
To resume hearings on the Consumer Price Index figures and inflationary trends.
2128 Rayburn Building

JANUARY 14

10:00 a.m.
Select on Indian Affairs
To hold hearings on S. 1466, to provide for the payment of Indian Claims Commission judgments in favor of the Delaware Tribe of Indians and the absentee Delaware Tribe of Western Oklahoma.
5110 Dirksen Building

JANUARY 15

10:00 a.m.
Banking, Housing, and Urban Affairs.
International Finance Subcommittee
To hold hearings to examine U.S. trade and technological competitiveness with other industrialized countries, focusing on a report by the International Trade Commission on international trade in integrated circuits relating to the electronics industry.
5302 Dirksen Building

JANUARY 21

10:00 a.m.
Select on Indian Affairs
To hold hearings on H.R. 3979, to modify and ease certain Federal laws restricting commercial transactions between Indians and Federal employees.
5110 Dirksen Building

JANUARY 29

10:00 a.m.
Select on Indian Affairs
To hold hearings on S. 1507, to provide for the purchase of certain facilities, lands, and water rights in and around the San Luis Rey River, San Diego, California, to be held in trust for, and operated and maintained by certain boards of Mission Indians.
5110 Dirksen Building

JANUARY 30

10:00 a.m.
Finance
Taxation and Debt Management Generally Subcommittee
To hold hearings on S. 219, to provide a Federal income tax deduction to taxpayers who make a charitable deduction whether or not they itemize their other deductions.
2221 Dirksen Building

Select on Indian Affairs
To hold hearings on S. 2055, to establish a reservation for the confederated tribes of Siletz Indians of Oregon.
5110 Dirksen Building

JANUARY 31

10:30 a.m.
Finance
Taxation and Debt Management Generally Subcommittee
To continue hearings on S. 219, to provide a Federal income tax deduction to taxpayers who make a charitable deduction whether or not they itemize their other deductions.
1318 Dirksen Building

FEBRUARY 5

10:00 a.m.
Select on Indian Affairs
To hold hearings on S. 1998, to provide for certain public lands to be held in trust by the United States for the Tule River Indian Tribe.
5110 Dirksen Building

HOUSE OF REPRESENTATIVES—Thursday, December 20, 1979

The House met at 10 a.m.

The Reverend Gabriel Duffy, St. Ambrose Catholic Church, Cheverly, Md., offered the following prayer:

Blessed heavenly Father, You are our good and wonderful God. Hear us as we call upon You at the beginning of this session of the House of Representatives

of the United States of America. Fill this assembly with the presence of Your holy spirit and give this House that same mind which You have, Father, toward

□ This symbol represents the time of day during the House Proceedings, e.g., □ 1407 is 2:07 p.m.

● This "bullet" symbol identifies statements or insertions which are not spoken by the Member on the floor.